

you could get out of it before you offered to pay \$16,000 or \$20,000 for it?—A. Yes, sir; I investigated kind of like.

Q. Well, how many tons of coal did you think you could get out of it when you offered first \$16,000 and then \$20,000 for it?—A. I thought it was anywhere from eighty to one hundred thousand tons of coal could be gotten out of it.

Q. It is upon that you based your conclusion that you could pay \$20,000 for it and still make money?—A. Yes, sir.

Q. Did you intend to execute that contract if it had not been returned without submitting it to your lawyer?—A. Oh, no, sir; oh, no.

Q. If you had found you did not get a good title from the Hillside Coal & Iron Co. and Mr. Robertson, would you have gone on with the deal?—A. No, sir; I had that privilege from Mr. May. He would send me the contract, and then I would hunt up the title—a copy of the contract—that is what I got. If the title was right, then we would do business together.

Q. When you said that with eighty or ninety thousand tons of coal there you could afford to pay \$20,000 and expected to make \$10,000, did you include anything for your own services and time in managing the operation?—A. Well, at all times I do not figure that in, but I figure out what it will cost me to build my plant; then figure out what my expenses will be, and whatever is left I call it mine.

Q. Well, you did not deduct anything for your own time and services?—A. No, sir.

Q. How long would it have taken you, in the ordinary course of the operation as you expected to work it, to have finished the plant, the washing, and the delivery of the coal for sale?—A. That is, you mean how long would it take me to build the plant and wash the dump away?

Q. Yes, sir; to finish the job up?—A. Oh, I could do it in two years or two and one-half.

Q. Could you tell us what it would cost in that region to get a man who is competent to manage such a job—to run it?—A. I have got a very good man—a foreman—down at the south-side plant at Scranton. I pay him \$110 a month.

Q. Well, I mean a man to take your place for the work you were going to do?—A. I don't know as I could answer that question. There is an old saying, if you ever heard it, "Of all your mother's children, you love yourself the best."

Mr. WORTHINGTON. I think that is all, Mr. President.

The PRESIDENT pro tempore. Is there any other question to be asked on the part of the managers?

Mr. Manager CLAYTON. This witness may be discharged, Mr. President.

The PRESIDENT pro tempore. The witness will be finally discharged.

Mr. OVERMAN. Mr. President, it is now after 4 o'clock; this is Saturday evening; few of the Senators are here; and, that being the case, I suggest to the managers that by unanimous consent we have an adjournment. If that is agreeable, I move that the Senate sitting as a Court of Impeachment do now adjourn.

Mr. WORTHINGTON. If I may be permitted, I should like to have action on that motion suspended for just a moment until I speak to the managers about a matter concerning which I have already communicated with them. There is a witness who is detained here whom I wish to call and ask a single question, and the managers have kindly consented that it may be done.

The PRESIDENT pro tempore. Does the Senator from North Carolina withhold his motion for that purpose?

Mr. OVERMAN. I withhold my motion for that purpose.

Mr. WORTHINGTON. It is simply an accommodation to the witness.

The PRESIDENT pro tempore. The witness will be called. Will counsel please indicate the name of the witness?

Mr. WORTHINGTON. He is Mr. Pryor.

TESTIMONY OF W. L. PRYOR—RECALLED.

W. L. Pryor, having been previously sworn, was recalled, and testified as follows:

Q. (By Mr. WORTHINGTON.) Mr. Pryor, I want to ask you whether you heard in Mr. Boland's office, when you were there in the spring of 1911, any conversations between Mr. William P. Boland and Mr. Edward J. Williams in reference to Judge Archbald going to any New York office?—A. There were conversations going on continually in my presence and while I was absent. Mr. Williams was a constant visitor at the office; in fact, every few hours or so.

Q. Well, I ask you specifically whether you heard any conversation between William P. Boland and Williams in reference to Williams getting Judge Archbald to go to the New York office of the Erie Co.?—A. I believe Mr. Boland requested Mr.

Williams to see Mr. Archbald and get a letter of introduction from him, I believe, to Capt. May.

Q. After that date did you hear Mr. Williams report that he had not got the option from Capt. May?—A. I think he did; yes, sir. On a subsequent time he came back and acknowledged having had it.

Mr. Manager NORRIS. Mr. President, as I understood, the Senate wanted to adjourn. Counsel is asking the witness questions that are not proper cross-examination. I have no objection, if I will be permitted to cross-examine him. Counsel is really making the witness his own witness now.

Mr. WORTHINGTON. I understand that perfectly.

Mr. Manager NORRIS. He is really offering the witness as his own at this time.

Mr. WORTHINGTON. With reference to this particular matter.

Mr. Manager NORRIS. With that understanding, I have no objection, but it may delay the adjournment for some time.

Mr. Manager CLAYTON. Mr. President, I want respectfully to submit another suggestion, and that is that this witness is now the witness for the respondent, and the counsel for the respondent is asking him leading questions. For instance, he so frames the question that the witness can answer categorically. I submit that the proper way for him to proceed, until the witness has shown an unwillingness, is to ask what was said by the parties and not to state what he wants the witness to give an affirmative answer to or a negative answer to, as the case may be.

Mr. WORTHINGTON. I think, Mr. President, it is perfectly apparent that we can not dispose of this matter in so short a time as I had hoped; so we had better not detain the Senate, if there is a desire to adjourn now.

Mr. OVERMAN. I renew my motion, Mr. President, that the Senate sitting as a Court of Impeachment do now adjourn.

The PRESIDENT pro tempore. The Senator from North Carolina moves that the Senate sitting as a Court of Impeachment do now adjourn.

The motion was agreed to.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 8 minutes p. m.) the Senate adjourned until Monday, December 9, 1912, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

SATURDAY, December 7, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father Almighty, boundless the resources, infinite the mercies, plenteous the gifts poured out upon us. Help us as rational beings gifted with the power of choice to lay hold upon these things, make them ours, that we may wisely use them to the uplift of our souls and the furtherance of Thy kingdom, that peace and good will may reign supreme. In the spirit of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 26680, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 26680) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes.

The CHAIRMAN. When the committee arose yesterday there was an amendment pending offered by the gentleman from Missouri [Mr. BORLAND], and if there is no objection, the amendment will again be reported.

The Clerk read as follows:

Amend, page 54, line 6, by striking out the word "photostat" and inserting in lieu thereof "photographic reproduction machines."

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] is recognized.

Mr. JOHNSON of South Carolina. Mr. Chairman, I desire that the gentleman from Missouri shall be first recognized.

Mr. BORLAND. Mr. Chairman, I desire to withdraw the amendment that I offered yesterday in order that the chairman of the committee may introduce an amendment covering the same ground.

The CHAIRMAN. The gentleman from Missouri withdraws his amendment, and the gentleman from South Carolina offers the following amendment, which the Clerk will report.

The Clerk read as follows:

On page 54, in lines 5 and 6, strike out the words "and the purchase of supplies for photostat."

Mr. JOHNSON of South Carolina. Mr. Chairman, I think under the appropriation for miscellaneous expenses and stationery they can supply these articles, and I move to strike out all reference to any particular machine.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to ask the gentleman from South Carolina whether he removes the objection that was made by the gentleman from Missouri, that the photostat is a patented article.

Mr. JOHNSON of South Carolina. The gentleman from Missouri did not want Congress to single out any particular machine for reproductive purposes. There are other machines by other names that do the same work.

Mr. MOORE of Pennsylvania. That seemed to me to be a proper amendment. I do not think Congress ought to legislate in favor of certain patented articles requiring that they should be purchased.

Mr. JOHNSON of South Carolina. The Committee on Appropriations has no knowledge of the merits of any particular machine, and therefore we are quite willing that the language shall not designate any particular machine.

Mr. MOORE of Pennsylvania. The difference between the amendment offered by the gentleman from Missouri and the one suggested by the gentleman from South Carolina is instead of specifying the photostat we shall specify the materials used in the operation of the photostat, so that the photostat as a patented article still remains.

Mr. JOHNSON of South Carolina. We do not specify any machine; they buy the materials for use on all the machines out of the appropriation for stationery.

Mr. MOORE of Pennsylvania. Does the gentleman think that his amendment will allow any competition? Will any competitor under this bill be able to supply the department with his particular machine or is not the supply still limited to the photostat?

Mr. JOHNSON of South Carolina. No; we do not limit it to any particular article because we do not mention any particular machine. My amendment strikes out the word "photostat."

Mr. MOORE of Pennsylvania. If I understood the amendment of the gentleman correctly, it provides that instead of striking out the word "photostat" and using the term "photographic machines," as suggested by the gentleman from Missouri, the amendment of the gentleman from South Carolina simply proposes that we shall buy the materials for use.

Mr. JOHNSON of South Carolina. The language of my amendment is, "on page 54, line 6, strike out the words 'the purchase of supplies for photostat.'"

Mr. MOORE of Pennsylvania. I think that prevents competition.

Mr. BORLAND. They have already the labor-saving machines under the general language of the clause which permits them to buy them. It does not specify any particular make of machines nor designate it by patented name. It is a general clause appropriating \$8,000 for the purpose of purchasing labor-saving machinery. Under that they have the photostat and other machines for the same purpose. Recently the Auditor of the Treasury ruled there was some doubt about buying supplies for this machinery under this clause. He thought that they should put in additional wording permitting them to buy supplies for these machines. It appears, however, they could have bought the supplies under the stationery clause and ought to buy them under that clause. The amendment now suggested by the gentleman from South Carolina [Mr. JOHNSON] strikes the word "photostat" from the law entirely and makes no provision here for the purchase of supplies for that particular machine. That relegates the purchase of supplies to the stationery clause.

Mr. MOORE of Pennsylvania. The gentleman from Missouri made the statement yesterday that the photostat was a patented machine.

Mr. BORLAND. And now I repeat that. The photostat is not a generic term, but is a particular patented machine for the purpose of photographing reproductions. This is the only place in the law where the name "photostat" appears. It is the only

clause in this law where it appears, and we now strike it out entirely.

Mr. MOORE of Pennsylvania. Under the amendment proposed by the gentleman from South Carolina could the manufacturer of another machine now compete for these supplies?

Mr. BORLAND. That is my understanding, and I agreed to the amendment on that understanding.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Office of assistant treasurer at Chicago: Assistant treasurer, \$5,000; cashier, \$3,000; vault clerk, \$2,250; paying teller, \$2,500; assorting teller, \$2,000; redemption teller, \$2,000; change teller, \$2,000; receiving teller, \$2,000; bookkeepers—1 at \$1,800, 2 at \$1,500 each; clerks—1 \$1,750, 2 at \$1,600 each, 9 at \$1,500 each, 22 at \$1,200 each, 1 \$900; hall man, \$1,100; messenger, \$840; 3 watchmen, at \$720 each; janitor, \$720; 8 money counters and handlers for money laundry machines, at \$900 each; in all, \$83,320.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask the gentleman from South Carolina whether in the estimates made for the office of the assistant treasurer at Chicago there was any recommendation of an increase in the number of positions, and particularly for an assistant cashier?

Mr. JOHNSON of South Carolina. There was, I am sure, although I have not the estimates before me at this moment.

Mr. MANN. I am sure they are very much in need of an assistant cashier.

Mr. JOHNSON of South Carolina. They asked that the receiving teller be increased from \$2,000 to \$2,250. They asked that an additional man be employed under the name of assistant cashier, at \$2,000, and then they dropped one clerk. They also asked that the watchman be increased from \$720 to \$840.

Mr. MANN. I was not speaking of the increases so much as the matter of authorizing an assistant cashier there, which my information leads me to believe is a place very much needed. Did the committee consider that?

Mr. JOHNSON of South Carolina. The committee had before it absolutely no evidence upon that question at the last sitting. In the making up of the bill during the last Congress we did have extensive hearings. The Secretary of the Treasury attempted to reorganize the force and to classify and standardize the work. I believe that in the bill as it finally passed we left the items for the subtreasuries just as the Secretary of the Treasury had asked us, with the exception of one or two men who had been reduced at Boston.

Mr. MANN. I think the committee last year in its recommendations did very good work in reference to the affairs in the office of the assistant treasurer. Of course that was in a way somewhat tentative, although practically complete. The gentleman knows there is a very large amount of business transacted at the Chicago office, much larger than at any other place in the country outside of New York City, and while the business is not so great by any means as it is in New York City, where they have an assistant cashier, information led me to believe they are very much in need of an assistant cashier, by that title, in the Chicago office.

Mr. JOHNSON of South Carolina. The gentleman will understand that the man who is designated in the estimates as assistant cashier is now carried as a clerk. They simply propose to increase the salary and give him a different designation. It does not increase the number of people in the subtreasury.

Mr. MANN. I understand that, but it increases the effectiveness of the force by authorizing an assistant cashier who can do certain work that a clerk can not do. However, if the committee has not carefully considered it, we may bring it to the attention of the committee later.

Mr. JOHNSON of South Carolina. I would say to the gentleman from Illinois that inasmuch as we adjusted all of these salaries in the last Congress according to the recommendation of the Secretary of the Treasury, we did not consider it at this time, and we had no evidence whatever respecting it before the committee.

Mr. MANN. The gentleman would not see his way clear at the present time, or would he, to accepting an amendment providing for an assistant cashier there?

Mr. JOHNSON of South Carolina. We can not do that.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FOSTER. Mr. Chairman, I observe in these appropriations for the different subtreasuries that there are provisions for money counters and handlers for laundry machines. Now, is that the money that is laundered in the Bureau of Printing and Engraving Office here or are the laundry machines located in the subtreasuries?

Mr. JOHNSON of South Carolina. There is to be installed in each subtreasury, except that at San Francisco where they use no paper money, a money-washing machine.

Mr. FOSTER. So that the work will be done in the subtreasuries instead of here?

Mr. JOHNSON of South Carolina. Oh, yes; there will be a money-washing machine in each subtreasury except the one at San Francisco. There is now one in the Treasury Department—

Mr. FOSTER. One here in Washington.

Mr. JOHNSON of South Carolina. Yes.

Mr. FOSTER. But none in the subtreasuries at this time?

Mr. JOHNSON of South Carolina. No; but the machines have been purchased and will be installed by January.

Mr. COX of Indiana. I desire to ask the chairman how much economy will that result in?

Mr. JOHNSON of South Carolina. At least \$300,000 a year. The Clerk read as follows:

Office of assistant treasurer at Cincinnati: Assistant treasurer, \$4,500; cashier, \$2,250; paying teller, \$2,000; receiving teller, \$1,800; vault clerk, \$1,800; bookkeeper, \$1,800; clerks—two at \$1,300 each, five at \$1,200 each, two at \$1,000 each; clerk and stenographer, \$1,000; chief watchman, \$840; two watchmen, at \$600 each; four money counters and handlers for money laundry machines, at \$900 each; in all, \$31,390.

Mr. FOWLER. Mr. Chairman, I reserve the point of order—

The CHAIRMAN. Against what paragraph?

Mr. FOWLER. Against the paragraph just read. I desire to ask the chairman of the committee why the assistant treasurer at Boston and at Chicago receive a salary of \$5,000 and at Cincinnati he only receives a salary of \$4,500. Is that provided for by law?

Mr. JOHNSON of South Carolina. I do not recollect there is any law fixing the salary of assistant treasurers in the United States. The salaries as fixed in this bill have been fixed by the Secretary of the Treasury. They were fixed, in his judgment, according to the responsibility of the position. The responsibilities in Chicago and Boston, where large sums are handled, are greater than the responsibilities in Cincinnati.

Mr. FOWLER. Are the sums the same as have been carried in the bills heretofore?

Mr. JOHNSON of South Carolina. We have made no change whatsoever in any one of the subtreasuries of the United States unless it was a reduction.

Mr. FOWLER. I observe that the cashier at Chicago receives \$3,000, whereas the salary paid the same position at Boston and at Cincinnati is \$2,250 in one case and \$2,500 in the other. Why should there be a difference made in these different offices in these subtreasury positions?

Mr. JOHNSON of South Carolina. I will say to the gentleman from Illinois that Secretary MacVeagh has undertaken to reclassify and standardize the work and the salaries of all the employees in all the subtreasuries, and at the last session of Congress the appropriation bill carried the amounts recommended by the Secretary, and that was done not hastily but after investigation and inquiry.

Mr. FOWLER. I discover that you make an increase of clerks from four to five at the salary of \$1,200. What is the use for the extra clerk at Cincinnati?

Mr. JOHNSON of South Carolina. There is no change in this bill.

Mr. FOWLER. Last year the bill carried a provision for four; this bill carries a provision for five.

Mr. JOHNSON of South Carolina. Has the gentleman the law before him?

Mr. FOWLER. Yes.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LONGWORTH. Mr. Chairman, I desire to offer an amendment.

Mr. FOSTER. There is a point of order pending.

The CHAIRMAN. Does the gentleman from Illinois [Mr. FOWLER] reserve the point of order?

Mr. FOWLER. I did reserve the point of order, Mr. Chairman, and was trying to get the reasons for the increase of salary in certain positions.

Mr. JOHNSON of South Carolina. Mr. Chairman, as I stated to the gentleman a moment ago, there is no increase. If he will examine the appropriation bill for the current year, he will find in one place four clerks at \$1,200 each. Then follows two clerks at \$1,300 each; vault clerk, \$1,800; bookkeeper, \$1,800; clerk, \$1,200. This year, instead of carrying the five clerks in two separate parts of the bill, we consolidated and say five clerks at \$1,200.

Mr. FOWLER. That may be true—

Mr. JOHNSON of South Carolina. It is true.

Mr. FOWLER (continuing). That they have been combined, but I do not so discover on an examination of the bill. However, Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Ohio [Mr. LONGWORTH] offers an amendment, which the Clerk will report.

Mr. LONGWORTH. In line 12, page 59, strike out the figures "600" and insert in lieu thereof the figures "720."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 59, line 12, by striking out the figures "600" and inserting in lieu thereof the figures "720."

Mr. LONGWORTH. Mr. Chairman, I merely desire to make this very brief statement, and I trust that the chairman of the committee will offer no objection. It will be observed that the watchmen in every subtreasury, except that in Cincinnati, receive a salary of \$720 a year, while in Boston they receive \$850 a year. In Cincinnati their salary is only \$600 a year—\$50 a month. It seems to me that the mere statement of this fact carries its own argument. It is utterly absurd that these men in Cincinnati should be paid \$120 a year less than they are paid in New Orleans for doing precisely the same work. If my amendment shall carry, then every watchman in every subtreasury will receive at least \$60 a month. The increase is almost negligible. It will amount to only \$240 a year, and yet it will pay these watchmen what I regard as a fair living wage. I trust that the gentlemen will not interpose an objection.

Mr. ALLEN. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Ohio [Mr. LONGWORTH] yield to his colleague?

Mr. LONGWORTH. Certainly.

Mr. ALLEN. Has the gentleman concluded his statement?

Mr. LONGWORTH. Yes, if the gentleman desires to make a statement.

Mr. ALLEN. I simply wanted to say that I hope the committee will see its way clear to accept that amendment, not only for the reasons stated, namely, that the watchmen in the subtreasuries in other cities receive \$720 a year, but, as I recall, in the Post Office appropriation bill last year janitors were increased on motion, I think, of the gentleman from Kansas [Mr. MURDOCK], from \$600 to \$720 a year, it being recognized that in this day of the high cost of living \$600 was entirely inadequate for a man to take care of his family and to meet the requirements of the present time. I want to add my word in their behalf, and I hope the committee will accept that amendment, which is a small amount, so far as this bill is concerned.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. LONGWORTH], which the Clerk will again report.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Office of assistant treasurer at St. Louis: Assistant treasurer, \$4,500; cashier, \$2,500; paying teller, \$2,000; receiving teller, \$1,800; assorting teller, \$1,800; change teller, \$1,600; coin teller, \$1,200; bookkeeper, \$1,500; clerks—3 at \$1,500 each, 7 at \$1,200 each, 2 at \$1,100 each, 3 at \$1,000 each, 3 at \$900 each; 2 watchmen, at \$720 each; 2 janitors, at \$600 each; guard, \$720; 4 money counters and handlers for money laundry machines, at \$900 each; in all, \$44,660.

Mr. DYER. Mr. Chairman, I move to strike out the last word. I desire to offer an amendment on line 23. I move to strike out the figures "600" and substitute the figures "720."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 61, line 23, strike out the figures "600" and insert "720."

Mr. DYER. Mr. Chairman, on looking over the pay for janitors and watchmen in the different subtreasuries of the country I find that, with the exception of those in the subtreasury in St. Louis, the pay is \$720 in each and every instance. These janitors at the subtreasury in St. Louis are on the same footing as watchmen. They have to do that work in the subtreasury offices, and I feel, Mr. Chairman, that in view of the policy shown by the House at the last session of Congress the increase of pay of these men to a living wage, namely, to \$720, which was the minimum of the increase of the last Congress—and, in fact, they were increased up to as much as \$840—I think it is only fair and proper that this change should be made. It is impossible for men to live on \$600 a year—\$50 a month—and properly rear a family.

Mr. MANN. Will the gentleman yield for a question?

Mr. DYER. Yes.

Mr. MANN. Why is it necessary to have two janitors at the St. Louis subtreasury? The bill already carries two watchmen and two janitors. At New Orleans there are two watchmen

but no janitor, and at Cincinnati, where we just increased the appropriation for the watchmen, they have two watchmen and no janitor. What is the necessity for having two watchmen and two janitors at St. Louis?

Mr. DYER. St. Louis is a larger city.

Mr. MANN. What is the necessity of having two watchmen and two janitors at St. Louis more than at any other office? Chicago, which is reputed to be a somewhat dirty city, so far as the air is concerned, has but one janitor, and yet requires three or four times as much work as is done in St. Louis. Is more cleaning required at St. Louis than anywhere else?

Mr. DYER. I will state, in answer to the question of the gentleman from Illinois, that St. Louis is a much larger city than any he has named except Chicago, which is provided with a messenger, which is not provided for at St. Louis.

Mr. MANN. The messenger does not do janitor's work.

Mr. DYER. These janitors do substantially the same work as the watchmen in the Chicago office. There is a messenger at the Chicago office at \$840, and three watchmen at \$720 each, and one janitor at \$720. These janitors at St. Louis do practically the same work as the watchmen. The language is used interchangeably, and there is no difference, substantially, in the work which they do.

Mr. MANN. The amount of work done at the St. Louis office is only a trifle larger than the amount transacted at New Orleans and at Cincinnati, where they get along without those four men. What is the necessity of having four men at St. Louis to do the work done by two men at Cincinnati or at New Orleans or most of the other places? They have one janitor at Chicago and two janitors at St. Louis.

Mr. DYER. Well, I explained, or tried to explain that to the gentleman, that in some places "watchmen" are carried instead of "janitors." We have only one watchman at St. Louis, and these janitors have oftentimes to do the work of a watchman, because if he goes away for one purpose or other the janitors have to do his work. These janitors are employed all the time and give all their time to this work, and they are needed. I ask for a vote, Mr. Chairman.

Mr. MANN. There is no real necessity for them at all.

Mr. JOHNSON of South Carolina. Mr. Chairman, did I understand the gentleman's amendment to provide that these people should be called watchmen instead of janitors?

Mr. DYER. No; my amendment did not provide that.

Mr. JOHNSON of South Carolina. But the gentleman's amendment proposes to increase the pay only?

Mr. DYER. Yes; to make it the same as janitors are paid at other subtreasuries in the country in every instance.

Mr. JOHNSON of South Carolina. Mr. Chairman, I have only this to say: That the Secretary of the Treasury has requested no increase in the compensation of these people. There is not a word of testimony before the committee that would justify the committee in making the increase. There are 450,000 people in the employment of the Government, and we can not raise salaries on the floor of the House indiscriminately without any evidence whatever. In fact, I think the best thing to do would be to strike out those two positions. They are hardly needed.

Mr. DYER. Will the gentleman yield for a question?

Mr. JOHNSON of South Carolina. Yes.

Mr. DYER. When we had the Post Office appropriation bill up there were 1,400 messengers and janitors and watchmen whose salaries were increased and there had been no recommendation from the Postmaster General or anybody asking for it, and in the case of those whom we just increased a while ago, for instance, in the case at Cincinnati, there is no word from there on the subject. It is not because they are not needed.

Mr. JOHNSON of South Carolina. The Secretary of the Treasury recommended the increase at Cincinnati.

Mr. DYER. Well, I will say that I have talked with the officials at the office at St. Louis and they tell me that \$600 is not sufficient to pay these men to do the work and expect from them good service.

Mr. JOHNSON of South Carolina. That is all.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. DYER], which the Clerk will again report.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. DYER. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 16, noes 20.

Mr. DYER. I ask for the yeas and nays, Mr. Chairman.

The CHAIRMAN. The yeas and nays can not be had in committee.

Mr. DYER. I ask for tellers.

The CHAIRMAN. The gentleman from Missouri demands tellers. As many as favor taking this vote by tellers will rise and remain standing until counted. [After counting.] Only 12 gentlemen have arisen. It takes 20. Tellers are refused. The Clerk will read.

The Clerk read as follows:

Mint at Denver, Colo.: Superintendent, \$4,500; assayer, \$3,000; superintendent melting and refining department, \$3,000; superintendent coining department, \$2,500; chief clerk, and cashier, at \$2,500 each; deposit weigh clerk, and bookkeeper, at \$2,000 each; assistant assayer, \$2,200; assayer's assistant, \$2,000; assistant cashier, \$1,800; clerks—two at \$2,000 each, two at \$1,800 each, four at \$1,600 each, two at \$1,400 each, one \$1,200; private secretary, \$1,200; in all, \$47,200.

Mr. FRENCH. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 62, by striking out all of lines 15 to 23, inclusive, and inserting in lieu thereof the following:

"MINTS AND ASSAY OFFICES.

"Mint at Carson, Nev.: Assayer in charge, who shall also perform the duties of melter, \$2,250; assistant assayer, \$1,500; chief clerk, \$1,600; clerk, \$1,000; in all, \$6,350.

"For wages of workmen and other employees, \$6,200.

"For incidental and contingent expenses, \$3,000.

"Mint at New Orleans, La.: Assayer, who shall have general charge of the institution as under section 3560, Revised Statutes, and who shall be a practical assayer, \$2,500; assistant assayer, \$1,500; chief clerk, who shall perform the duties of cashier, \$1,500; 3 clerks, \$1,200 each; assayer's assistant, \$1,200; in all, \$10,300.

"For wages of workmen and other employees, \$7,500.

"For incidental and contingent expenses, \$3,500.

"Mint at San Francisco, Cal.: Superintendent, \$4,500; assayer, superintendent melting and refining department, and superintendent coining department, at \$3,000 each; chief clerk, and cashier, at \$2,500 each; bookkeeper, \$2,000; assistant assayer, \$2,200; assistant melter and refiner, and assistant coiner, at \$2,000 each; assistant cashier, \$1,800; assistant bookkeeper, \$1,800; assayer's assistant, \$2,000; deposit weigh clerk, \$2,000; 1 clerk, \$2,000; 1 clerk, \$1,800; 6 clerks, at \$1,600 each; private secretary, \$1,400; 2 clerks, at \$1,400 each; 2 clerks, at \$1,200 each; in all, \$54,300.

"For wages of workmen and other employees, \$122,500.

"For incidental and contingent expenses, including new machinery and repairs, exclusive of that required for the refinery, melter and refiners' wastage, and loss on sale of sweeps, arising from the manufacture of ingots for coinage, and for wastage and loss on sale of coiners' sweeps, \$40,000.

"Assay office at Boise, Idaho: Assayer in charge, who shall also perform the duties of melter, \$2,250; assistant assayer, \$1,600; chief clerk, who shall also perform the duties of cashier, \$1,500; assayer's assistant, \$1,500; 1 clerk, \$1,200; in all, \$8,050.

"For wages of workmen and other employees, \$3,540.

"For incidental and contingent expenses, \$2,500.

"Assay office at Charlotte, N. C.: Assayer and melter, \$1,500.

"For wages of workmen and other clerks and employees, \$900.

"For incidental and contingent expenses, \$400.

"Assay office at Deadwood, S. Dak.: Assayer in charge, who shall also perform the duties of melter, \$2,000; clerk, \$1,200; assistant assayer, \$1,600; assayer's assistant, \$1,400; in all, \$6,200.

"For wages of workmen and other employees, \$3,000.

"For incidental and contingent expenses, new machinery, etc., \$1,500.

"Assay office at Helena, Mont.: Assayer in charge, \$2,500; chief clerk, who shall also perform the duties of cashier, \$1,800; clerk, \$1,600; clerk, \$1,400; assistant assayer, \$1,700; assayer's assistant, \$1,400; in all, \$10,400.

"For wages of workmen and other employees, \$6,500.

"For incidental and contingent expenses, \$3,250.

"Assay office at Seattle, Wash.: Assayer in charge, who shall also perform the duties of melter, \$2,750; assistant assayer, \$2,000; chief clerk, who shall also perform the duties of cashier, \$2,000; 1 clerk, \$1,700; 2 clerks, at \$1,600 each; clerk, \$1,400; in all, \$13,050.

"For wages of workmen and other employees, \$22,000.

"For incidental and contingent expenses, including rent of building, \$6,500.

"Assay office at Salt Lake City, Utah: Assayer in charge, who shall also perform the duties of melter, \$2,500; assistant assayer, \$1,600; chief clerk, who shall also perform the duties of cashier, \$1,600; *Provided*, That the chief clerk shall perform the duties of assayer in charge in his absence; clerk, \$1,400; in all, \$7,100.

"For wages of workmen and other employees, \$4,500.

"For incidental and contingent expenses, \$3,500.

"The position of coiner, which has heretofore existed in each of the coinage mints, and the position of melter and refiner, which has heretofore existed in each of the coinage mints and in the United States assay office at New York, are hereby abolished, to take effect on and after July 1, 1912, and on and after that date the duties and responsibilities heretofore imposed by law on the officers holding said positions in each of said mints and the assay office shall devolve upon the superintendents of said institutions; and all assistants and employees of the mints and assay offices of the United States shall, from and after July 1, 1912, be appointed by the Secretary of the Treasury.

"Mint at Denver, Colo.: Superintendent, \$4,500; assayer, \$3,000; superintendent melting and refining department, \$3,000; superintendent coining department, \$2,500; chief clerk, and cashier, at \$2,500 each; deposit weigh clerk, and bookkeeper, at \$2,000 each; assistant assayer, \$2,200; 2 clerks, at \$2,000 each; assayer's assistant, \$2,000; assistant cashier, \$1,800; 2 clerks, at \$1,800 each; 4 clerks, at \$1,600 each; 2 clerks, at \$1,400 each; 1 clerk, \$1,200; private secretary, \$1,200; in all, \$47,200.

"For wages of workmen and other employees, \$94,000.

"For incidental and contingent expenses, including new machinery and repairs, wastage in melting and refining departments and coining

departments, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, \$35,000.

"Mint at Philadelphia: Superintendent, \$4,500; engraver, \$4,000; assayer, \$3,000; superintendent melting and refining department, \$3,000; superintendent coining department, \$2,500; chief clerk, \$2,500; assistant assayer, \$2,200; assistant superintendent of melting and refining department, \$2,000; cashier and bookkeeper, at \$2,500 each; 1 clerk, and deposit weigh clerk, at \$2,000 each; assistant cashier, and curator, at \$1,800 each; 2 clerks, at \$1,700 each; 8 clerks, at \$1,600 each; 1 clerk, \$1,500; 6 clerks, at \$1,400 each; 1 clerk, \$1,300; 3 clerks, at \$1,200 each (including one formerly paid from 'parting and refining'); 5 clerks, at \$1,000 each; 1 clerk, \$900; in all, \$73,200.

"For wages of workmen and other employees, \$305,000.
"For incidental and contingent expenses, including new machinery and repairs, wastage in melting and refining and in coining departments, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, \$70,000.

"Assay office at New York: Superintendent, \$5,000; assayer, \$3,000; superintendent of melting and refining department, \$3,000; chief clerk, cashier, deposit weigh clerk, and assistant assayer, at \$2,500 each; 2 clerks, and assayer's assistant, at \$2,000 each; bookkeeper, \$2,350; assistant cashier, and 4 clerks, at \$1,800 each; 1 clerk (formerly paid from 'parting and refining'), \$1,600; 1 clerk, \$1,500; private secretary, \$1,400; 1 clerk, \$1,250; 7 clerks, at \$1,000 each; in all, \$51,100.
"For wages of workmen and other employees, \$80,000.

"For incidental and contingent expenses, including new machinery and repairs, wastage in the melting department, and loss on sale of sweeps arising from the treatment of bullion, \$60,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, I make the point of order that the paragraph to which the amendment is offered provides simply for the mint at Denver, Colo., while the amendment undertakes to provide for assay offices throughout the country.

The CHAIRMAN. As the Chair understands the gentleman's point of order, it is that the amendment is not germane.

Mr. JOHNSON of South Carolina. I think it also provides for striking out parts of the bill that have not been reached.

Mr. FRENCH. Will the gentleman withhold his point of order for a few minutes?

Mr. JOHNSON of South Carolina. I will, if the gentleman desires.

Mr. FRENCH. Mr. Chairman, I think the gentleman's point of order is not well taken, but I shall not argue that question just at this time. I want to call the attention of the gentleman and of the Members of the House to that which is provided in the amendment which I have sent to the Clerk's desk. All that is provided is existing law. The language that has just been read is the language of the present law, and the bill as it has been reported by the committee proposes to abolish six of the assay offices of the United States, including the ones in North Carolina, Louisiana, Utah, Nevada, Montana, and Idaho.

The argument that was repeatedly advanced a year ago for the abolition of these assay offices, and the one that is pressed to-day, is the argument that it is necessary on account of economy and the economical administration of this branch of the Government. If there were merit to that argument, the position that the committee has taken falls short, because a year ago the committee went further and provided for the abolition of different assay offices which are not abolished in the present bill. More than that, if the argument of economy is to be regarded as the controlling factor in the consideration of this particular feature of the bill, the committee does not go far enough, because it should even abolish our mints and all the assay offices, with possibly one or two exceptions, because with possibly one or two exceptions they do not pay the expenses of their operation.

The fact of the business is that mints and assay offices are not maintained as revenue producers by our Government; and if we were to go further than that, the fact is that probably very few of the functions of the Government are exercised or maintained for the purpose of making a profit to the Government while performing a public service for the people. If you will go to the various departments, the head offices of which are here in Washington, you will find that that statement is amply borne out by that which we are doing in every session, in making appropriations for the maintaining of these various departments. Your Agricultural Department costs you every year millions and millions of dollars, and yet it is not urged that there is a profit coming to the Government from the maintenance of that department, other than the profit that comes to the people generally throughout the country through the information and development and experience that can be obtained, which are to the interest of farming and agricultural communities.

Until within the past year the Post Office Department has not been maintained at a profit, and has not even borne the expense of its own maintenance. You would not abolish that department. So it is with other departments. The people of the country do not expect that our governmental institutions shall bear the expense of their operation as a reason for their existence, providing they give service.

Here is an institution that is operated for the convenience of the people. I refer merely to the one in my own State, which

may be taken as an illustration of the character of service performed by similar institutions in the other sections of the country.

We have an assay office at Boise that performs the work of assaying gold and silver to the amount of nearly \$1,000,000 per year for people of a large section of the country. The service that is performed is not performed for a few people only, it is not performed for a few large mining companies, but if you will turn to the record you will find that of the 500 and more who have sent bullion to the assay office at Boise almost all has been sent by persons who have sent less than \$1,000 each.

Mr. BURLESON. Will the gentleman yield?

Mr. FRENCH. Certainly.

Mr. BURLESON. I would like to ask the gentleman if he is aware of the fact that during the last fiscal year the earnings of the assay office at Boise were \$6,017.46 and the expenditure \$14,541.14?

Mr. FRENCH. That statement is practically correct.

Mr. BURLESON. Does the gentleman think that it is a good proposition to maintain at Government expense an assay office with a net loss of \$8,000 a year?

Mr. FRENCH. Postal routes are maintained at a net loss to the Government, and you would not ask to abolish them in all sections of the country on account of the expense.

Mr. BURLESON. Does the gentleman contend that there is any analogy between the two cases?

Mr. FRENCH. I contend that they are analogous. Of the 500 persons who sent gold and silver bullion to the assay office at Boise, nearly 500 sent in amounts of less than \$1,000 each, and only 26 sent in an amount of more than \$2,000 per individual. That represents accommodation to the people in handling nearly \$1,000,000 of bullion that is assayed every year at that office. I have no doubt the same illustration could be made at every other assay office as to proportion and average. It is a great convenience to the people in the section where the assay offices are located.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. BYRNS of Tennessee. The gentleman has referred to the Agricultural Department and the Post Office Department. We know that they are run in the interest of the people throughout the country. In whose particular interest are the assay offices maintained?

Mr. FRENCH. In the interest of the people throughout the country, because just as the development of agriculture and just as the development and dissemination of information through the Post Office Department are for the benefit of the country at large, so these assay offices are for the development of the mining resources. Our mining resources have developed in the last quarter of a century along these lines, so that to-day the output of gold and silver is nearly \$100,000,000 every year, and yet the industry has received scarcely any encouragement.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. Mr. Chairman, I ask that my time be extended five minutes.

The CHAIRMAN. The gentleman from Idaho asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. FRENCH. I will yield to the gentleman.

Mr. BYRNS of Tennessee. The gentleman surely does not mean to contend that these assay offices are maintained for any other purpose than the convenience of those who produce the gold bullion. Now I want to ask if it is not a fact that these people who now send their bullion to the assay office located in the gentleman's State could not send it other assay offices, say at Denver or Deadwood, S. Dak., which it is proposed to retain, and have the same services performed there that are performed now in the State of Idaho and save this expense to the people?

Mr. FRENCH. That is true in part, but there would be a delay in the time it would take to get a return on the bullion, and also an extra expense in the express charges that our producers would have to pay in carrying the bullion the greater distance. In the gold that is produced in Idaho to-day, 80 or 90 per cent is sent to Boise, and of the silver more than 96 per cent is sent to the assay office in Boise instead of the assay offices or mints in other parts of the country.

Mr. BYRNS of Tennessee. The only difference that would result would be that those who produce gold bullion now would have to pay a little more money to send their gold and silver to the assay offices located in other places than they do, in order to send it to the assay office in the gentleman's State.

Mr. FRENCH. That same principle could be applied to the Agricultural Department, and could be applied to the Post Office Department, and every other department that we main-

tain. The people could bear the expense individually which the Government now bears.

Mr. BYRNS of Tennessee. The position of the gentleman is that 93,000,000 people should be forced to pay the extra expense of something like \$8,000 for the benefit of 400 or 500 people in Idaho who produce gold bullion and send it to the assay office in his State, rather than to the mint and assay office at Denver.

Mr. FRENCH. Oh, not at all; and the convenience and advantage that just a few would receive is merely suggestive of the convenience and advantage it would be to a large section of the country to have the institution there, where people may have the opportunity of sending the bullion they produce in those States to a convenient assay office, for the encouragement of the industry, for the encouragement of building up the gold and silver mining in the particular sections of the country that are tributary to these assay offices. I think the people generally, the 93,000,000 to whom the gentleman refers, will be glad to have this expense borne by the Government as an encouragement to the mining industry of the United States.

Mr. BYRNS of Tennessee. Can the gentleman then tell why it is that the Secretary of the Treasury has, without exception, year after year, recommended that the assay office in the gentleman's State and all the other assay offices except at Denver and Philadelphia be abolished in the interest of the public service and of the people?

Mr. FRENCH. The Secretary takes that position honestly, but why has not the committee followed that course they followed a year ago? If their position a year ago was correct, wherein they sought to abolish the assay office at Seattle, the mint at San Francisco, and other assay offices in the country, why do they reverse their policy and now try to abolish only a few?

Mr. BYRNS of Tennessee. If the gentleman asks me the question, I will say that the committee was in earnest a year ago when it endeavored to abolish all the assay offices, but the trouble was that when we came in here on the floor of the House we found a combination against the committee which prevented the abolishment of any of these offices. The committee now seeks by this bill to abolish only those assay offices which are a losing proposition to the Government.

Mr. FRENCH. Yes; and they are in States that are represented by but a one-Member delegation—States like Idaho, Utah, Montana, Nevada. Of course North Carolina and Louisiana must be included, but four of the six the committee is abolishing are located in States that have only one Representative on this floor.

Mr. BYRNS of Tennessee. That is because these assay offices happen to be located in those States, but I will say to the gentleman that every assay office in the South has been abolished in this bill.

Mr. FRENCH. Only two of them.

Mr. BYRNS of Tennessee. There are only two there.

Mr. FRENCH. Yes; and you have abolished four from States that have only one Member each representing them in this body, and I think it is more a question of being able, as the gentleman suggests, to prevent some such combination that the committee has prepared the bill in the way it has. If the committee were in earnest a year ago, why not fight it out along the same lines now?

Mr. BYRNS of Tennessee. Will the gentleman join us in an effort to abolish all of them?

Mr. FRENCH. No, I will not; because I believe they should be retained, not only the ones that are retained in the bill but the ones I ask to have retained in the amendment which I now propose.

Mr. JOHNSON of South Carolina. Mr. Chairman, has the Chair yet ruled on the point of order?

The CHAIRMAN. The Chair thinks the point of order well taken. If the gentleman from Idaho cares to be heard upon the question, the Chair will hear him. The gentleman said he did not care to discuss the point of order.

Mr. FRENCH. Mr. Chairman, I do not think there can be any particular question on the point of order. I think the point of order is not well taken, because the amendment simply reinstates existing law. It proposes nothing new, it refers to that which is already existing law, and I think that now is a very proper time to have it considered, in lieu of the paragraph for which it is a substitute.

The CHAIRMAN. It is a well-established rule of the House, as the Chair understands it, that if any portion of an amendment is obnoxious, it makes the entire amendment obnoxious. It appears from the reading of this amendment that it includes matters other than is contemplated in the provision from line 15 to 23, on page 62. If the gentleman's amendment should

come after that as a different and separate section, it might be in order; but this provision provides solely for a mint at Denver, whereas the amendment offered by the gentleman from Idaho creates a number of assay offices throughout the country. If he should offer his amendment as a separate section following the mint at Denver, it seems to the Chair that it would be in order.

Mr. FRENCH. Then, to save time, because I would simply follow the program the Chair has outlined, I ask unanimous consent that the amendment I have proposed be offered as a separate section immediately following the disposition of this section that is now pending, and also in the same sentence I will ask that we do not read it, because we are all familiar with its terms, and then it can be voted up or down as the House sees fit.

Mr. JOHNSON of South Carolina. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina objects. The point of order is sustained, and the Clerk will read.

Mr. FRENCH. Then, Mr. Chairman, I would offer this same amendment as a separate section at this time.

The CHAIRMAN. The gentleman from Idaho offers the following amendment as a separate section.

Mr. FRENCH. If the Clerk will omit the part pertaining to Denver—I want to omit that because that is taken care of—I would ask that the reading be dispensed with, because the House is familiar with it.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that the reading of the amendment be dispensed with. Is there objection? [After a pause.] The Chair hears none. The question is on the adoption of the amendment offered by the gentleman from Idaho.

Mr. BURLESON. Mr. Chairman, I demand a division of the amendment.

The CHAIRMAN. The gentleman from Texas demands a division of the amendment. The Clerk will report the first subdivision of the amendment.

The Clerk read as follows:

Page 62, after line 23, insert the following:

"MINTS AND ASSAY OFFICES.

"Mint at Carson, Nev.: Assayer in charge, who shall also perform the duties of melter, \$2,250; assistant assayer, \$1,500; chief clerk, \$1,600; clerk, \$1,000; in all, \$6,350.

"For wages of workmen and other employees, \$6,200.

"For incidental and contingent expenses, \$3,000."

Mr. BURLESON. Mr. Chairman, I simply desire to direct the attention of the committee to the fact that last year the earnings at the Carson Mint were \$3,717.93 and the expenses were \$15,284.69. The aggregate expenses of the assay offices we seek in this bill to abolish are \$144,673.69. The aggregate earnings are \$42,180.18. The net annual loss to the Government is more than \$100,000, and, in addition to this loss, for each year there is a cost for transportation necessarily incurred by the shipment of ore that is purchased which is sent to the mint for coinage purposes, aggregating thousands of dollars. The abolishment of these assay offices has been recommended by the present Secretary of the Treasury. Every Secretary of the Treasury for years with unvarying regularity, Democratic Secretaries of the Treasury alike with Republican Secretaries of the Treasury, have recommended their abolishment, declaring that they render no substantial service. It is in the interest of economy, and, Mr. Chairman, no reason can be stated why they should be continued, and they would not have been continued in last year's bill except for a combination upon the part of certain Representatives who have a selfish interest in the continuance of these particular assay offices, and I now ask that the Committee of the Whole sustain the Committee on Appropriations in its effort to strike down this wasteful extravagance. But for the combination last year these useless offices would have been abolished. I think now it no longer exists and that at last we can succeed in eliminating these indefensible items from this bill.

Mr. GILLET. Mr. Chairman, I had occasion the other day to criticize the committee and the majority of this House for introducing in this bill what I thought was the first indication of a seizure of the spoils of office. I want to be fair about the matter, and so I think I ought now to say that this proposition which they are making here shows quite an opposite spirit. I am surprised at it. I am afraid it is a spirit that will not be demonstrated very often in the progress of time, but certainly in this instance the majority of the committee is showing great self-denial and restraint of appetite in the effort to abolish these offices, which in the future would give them patronage. I think they are doing it wisely as well as unselfishly. I think it is a righteous economy which deserves the commendation and support of the House.

The CHAIRMAN. The question is on the subdivision amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was rejected.

The CHAIRMAN. Does the committee desire the balance of the amendment voted on together?

Mr. BURLESON. We are willing to vote on it.

The CHAIRMAN. The question is on the balance of the amendment offered by the gentleman from Idaho.

The question was taken, and the Chairman announced the yeas seemed to have it.

Upon a division (demanded by Mr. FRENCH) there were—ayes 11, noes 49.

So the amendment was rejected.

The Clerk read as follows:

Assay office at Deadwood, S. Dak.: Assayer in charge, who shall also perform the duties of melter, \$2,000; clerk, \$1,200; assistant assayer, \$1,600; assayer's assistant, \$1,400; in all, \$6,200.

For wages of workmen and other employees, \$3,000.

For incidental and contingent expenses, new machinery, etc., \$1,500.

Mr. COX of Indiana. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COX of Indiana. I would like to know where the Clerk was reading.

The CHAIRMAN. Page 65, line 7.

Mr. COX of Indiana. Mr. Chairman, I do not know whether I am too late or not, but I want to move to strike out all on page 65, lines 1, 2, 3, 4, 5, 6, and 7; in other words, from line 1 to line 7, inclusive, page 65.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 65, strike out all of lines 1 to 7, inclusive.

Mr. JOHNSON of South Carolina. I am quite willing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Assay office at Seattle, Wash.: Assayer in charge, who shall also perform the duties of melter, \$2,750; assistant assayer, \$2,000; chief clerk, who shall also perform the duties of cashier, \$2,000; clerks—one \$1,700, two at \$1,600 each, one \$1,400; in all, \$13,050.

Mr. DYER. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. Is there any more need for the office at Seattle than for the one at Deadwood, in his opinion?

Mr. JOHNSON of South Carolina. Yes; there is a great deal more need for an assay office at Seattle than there is at any other point on the Pacific coast. The amount of bullion which comes down to Seattle from Alaska is very great.

Mr. DYER. While I am on my feet I would like to ask the chairman of the subcommittee a question which I wanted to ask him when we had up the matter of the subtreasury. I would like to know if the Committee on Appropriations has made any recent inquiry into whether or not some of the subtreasuries could not be abolished without injuring the public business?

Mr. JOHNSON of South Carolina. They ought all to be abolished, but this committee was not in a position to do it. They were organized under a very different condition of things than that which now obtains. We are not prepared to abolish them.

Mr. DYER. I understand the gentleman to say, then, that these different subtreasuries could practically be abolished without any injury to the public business?

Mr. JOHNSON of South Carolina. I think they could. Of course we have not had any inquiries on that subject.

Mr. DYER. Can the chairman state to us whether or not it is the intention, so far as he knows now, of the Committee on Appropriations to take up this inquiry for the purpose of trying to abolish them?

Mr. JOHNSON of South Carolina. I do not know who will be on the Committee on Appropriations after the 4th of March. This committee will do well to get through with the appropriation bills for the next fiscal year.

The Clerk read as follows:

GOVERNMENT IN THE TERRITORIES.

District of Alaska: Governor, \$7,000; 4 judges, at \$7,500 each; 4 attorneys, at \$5,000 each; 4 marshals, at \$4,000 each; 4 clerks, at \$3,500 each; in all, \$87,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to inquire from the gentleman in charge of the bill, in regard to the District of Alaska, whether they need as large a force there now since Alaska was created into a Territory as they have had heretofore? Is there a large share of this legal work there to be done hereafter?

Mr. JOHNSON of South Carolina. The Committee on Appropriations has no information on that subject. When we were making up the bill last year we thought that the force

was too large in the Territories, and we made an inquiry of the Attorney General, and after investigation he notified the committee that the force could not be reduced.

The Clerk read as follows:

For judges of circuit courts, at \$4,000 each, so much as may be necessary, for the fiscal year ending June 30, 1914.

[Mr. FARR addressed the committee. See Appendix.]

Mr. MANN. Mr. Chairman, I move to strike out the last word, for the purpose of inquiring of the gentleman from South Carolina [Mr. JOHNSON], in charge of the bill, whether any request or estimate was made in reference to the expenses of the Territorial Legislature for the Territory of Alaska, or whether they would properly come in this bill or in the sundry civil bill?

Mr. JOHNSON of South Carolina. They would properly come in this bill, Mr. Chairman, but no estimate was sent to us. We do provide in this bill for the Legislature of Hawaii, but as it only meets biennially it was not necessary to have any estimate on this bill. No estimates came in regard to the other.

Mr. MANN. And the matter was not called to the attention of the committee by the Delegate from Alaska?

Mr. JOHNSON of South Carolina. No. There is no estimate before the committee as to the amount needed.

The Clerk read as follows:

WAR DEPARTMENT.

Office of the Secretary: Secretary of War, \$12,000; Assistant Secretary, \$5,000; assistant and chief clerk, \$4,000; private secretary to the Secretary, \$2,500; clerk to the Secretary, \$2,000; stenographer to the Secretary, \$2,000; clerk to the Assistant Secretary, \$2,400; assistant chief clerk, \$2,400; disbursing clerk, \$2,750; appointment clerk, \$2,250; 4 chiefs of division, at \$2,000 each; superintendent of buildings outside of State, War, and Navy Department Building, in addition to compensation as chief of division, \$500; chief telegrapher, \$1,800; clerks—4 of class 4, 5 of class 3, 15 of class 2, 19 of class 1, 6 at \$1,000 each, 1 at \$900; foreman, \$1,200; carpenter, \$1,200; chief messenger, \$1,000; carpenter, \$1,080; skilled laborer, \$1,080; 6 messengers; 7 assistant messengers; 2 assistant messengers, at \$600 each; telephone switchboard operator; assistant telephone switchboard operator; engineer, \$900; assistant engineer, \$720; fireman; 4 watchmen; 5 watchmen, at \$660 each; 8 laborers; hostlers—1 at \$600, 1 at \$540; elevator conductors—1 at \$600; 4 charwomen; in all, \$148,160.

Mr. FOWLER. Mr. Chairman, I reserve a point of order on this paragraph. I desire to ask the gentleman why the chief clerk's salary is increased from \$2,500 to \$4,000.

Mr. JOHNSON of South Carolina. We have not done anything of the kind. The salary is the same now as it has been.

Mr. FOWLER. The last bill provides that the chief clerk of the Secretary of War shall have a salary of \$2,500. In this bill it provides for a salary of \$4,000.

Mr. JOHNSON of South Carolina. We have made no change whatever.

Mr. FOWLER. I have the statute before me.

Mr. JOHNSON of South Carolina. The gentleman may have the statute before him, but we are following current law.

Mr. FOWLER. Well, as a matter of fact, does the gentleman think that there ought to be an increase in the salary simply by current law, when there is no general law for it?

Mr. JOHNSON of South Carolina. He is not merely a chief clerk in the ordinary acceptance of that term, but he is also an Assistant Secretary of War.

Mr. FOWLER. Mr. Chairman, there is no provision in the statute for an assistant secretary and chief clerk of war, but there is a provision for a chief clerk at a salary of \$2,500. It is sought by this bill to increase his salary from \$2,500 to \$4,000 by marrying him to an assistant for which there is no provision of law. I therefore make a point of order against this provision in line 3 for \$4,000 for the chief clerk.

Mr. JOHNSON of South Carolina. Mr. Chairman, the chief clerk when the War Department was created by the act of 1789 was provided for at \$600 a year. From time to time it was increased; notably in 1871 the salary was increased to \$2,500. At some time previous to this present fiscal year the salary was increased in an appropriation bill to \$4,000, and this committee has not increased the salary over the amount carried in the current law. There would be just as much sense in going back and fixing this officer's salary at \$600, which was the amount fixed in the original statute in 1789, as there would be in going back to the year 1871 and fixing the salary at \$2,500.

Mr. FOWLER. Does the gentleman contend that there has been an amendment to the statute fixing the salary of the chief clerk to the Secretary of War to \$2,500?

Mr. JOHNSON of South Carolina. I endeavored to state distinctly that it has been increased on appropriation bills, and we are simply following the current law as made in an appropriation bill.

Mr. FOWLER. The gentleman is well aware of the fact that merely because a salary may have been increased by an appropriation bill it is not binding at all upon any future Congress or session thereof in making an appropriation for that purpose.

Mr. JOHNSON of South Carolina. Mr. Chairman, I am ready to have the Chair rule.

Mr. FOWLER. I will say to the Chair that I have before me the statute governing the question of salaries for the Department of War, and it provides for one chief clerk of the department at a salary of \$2,500 a year.

The CHAIRMAN. It is the Chair's understanding of the precedents that where a statute fixes the salary of an officer a point of order against the increase of the salary is good, and that where the statute fixes no salary, then the current law is to govern in a case of that character; and for that reason it seems to the Chair that—

Mr. FITZGERALD. Mr. Chairman, in this instance, however, there is one other point to which the attention of the Chair must be called. The statute cited by the gentleman from Illinois [Mr. FOWLER] fixes the compensation of the office of chief clerk, but that is not this office. This is a different office. It is the office of assistant and chief clerk—a different title, with somewhat different duties—and it is upon that ground that the gentleman from South Carolina [Mr. JOHNSON] has based his contention. There was a consolidation of offices and a change in the compensation, and the particular position that the gentleman from Illinois [Mr. FOWLER] now mentions does not exist.

Mr. FOWLER. Mr. Chairman, does the gentleman from New York yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. FITZGERALD. Certainly.

Mr. FOWLER. I desire to ask if there is such a position as Assistant Secretary of War, as contemplated by this provision of this bill?

Mr. JOHNSON of South Carolina. There is an Assistant Secretary of War at \$5,000 a year, and he has an assistant and chief clerk at \$4,000 a year.

The CHAIRMAN. The Chair would like to ask the gentleman from New York [Mr. FITZGERALD] how the word "assistant" is going to help to make it in order unless that office is authorized by law?

Mr. JOHNSON of South Carolina. It is authorized by appropriation acts, which justify us in carrying it in the next appropriation bill.

The CHAIRMAN. But if it is an office not authorized by law, and the point of order is made against it, under the rules of the committee a point of order would lie.

Mr. FITZGERALD. There is no separate statute, as I recall, creating the office of assistant and chief clerk. If the gentleman from Illinois [Mr. FOWLER] has made his point of order on that ground that is one thing. But the only compensation fixed for the office of assistant and chief clerk is the compensation fixed in the appropriation bill.

The CHAIRMAN. The Chair is inclined to think the point of order is well taken.

Mr. FITZGERALD. Against the entire clause?

The CHAIRMAN. No; against this provision of "assistant and chief clerk at \$4,000." Has the gentleman from South Carolina any amendment?

Mr. JOHNSON of South Carolina. No; we have no amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of the Judge Advocate General: Chief clerk and solicitor, \$2,500; law clerks—1 at \$2,400, 1 at \$2,000; clerks—1 of class 4, 2 of class 3, 3 of class 2, 6 of class 1; copyist; 2 messengers; assistant messenger; in all, \$26,600.

Mr. FOWLER. Mr. Chairman, I reserve a point of order against the paragraph. I desire to ask the gentleman in charge of the bill why the chief clerk, in this paragraph, has a salary of \$2,500, whereas it ought to be \$2,000?

Mr. JOHNSON of South Carolina. There is no law creating such an office. It is just simply carried in an appropriation bill. We have carried it there because the previous appropriation bills provided for it.

Mr. FOWLER. There is a chief clerk of this office?

Mr. JOHNSON of South Carolina. He is something more than a chief clerk.

Mr. FOWLER. Can you consolidate a statutory office with another office by an appropriation bill?

Mr. JOHNSON of South Carolina. A chief clerk is authorized by law at \$2,000.

Mr. FOWLER. A chief clerk is authorized by law at the salary of \$2,000?

Mr. JOHNSON of South Carolina. Yes.

Mr. FOWLER. I make the point of order against this portion of the paragraph, Mr. Chairman.

Mr. JOHNSON of South Carolina. If it is subject to a point of order, I would rather let it go.

The CHAIRMAN. The Chair understands that the gentleman from Illinois says he has the statute before him, and the statute authorizes a salary of \$2,000.

Mr. FOWLER. I understand the law so fixes it.

Mr. JOHNSON of South Carolina. The words "and solicitor" are subject to a point of order.

The CHAIRMAN. What is the understanding of the gentleman in charge of the bill as to what the statutory law is?

Mr. JOHNSON of South Carolina. There is authority for a chief clerk at \$2,000. There is no provision for "chief clerk and solicitor," but there is a law for the chief clerk.

The CHAIRMAN. Let the Chair understand just what the gentleman from Illinois made the point of order against. Will the gentleman state it again?

Mr. FOWLER. The point of order is directed against the salary of the chief clerk and solicitor provided in the bill at \$2,500. There is no such office as "chief clerk and solicitor" created by the statute. There is a statutory office of chief clerk, and I make a point of order against that provision of the bill.

The CHAIRMAN. The point of order, in so far as the words "and solicitor" are concerned, is doubtless well taken. The Chair is not certain whether that takes out of the bill the entire provision "chief clerk and solicitor."

Mr. FITZGERALD. Mr. Chairman, the provision "chief clerk and solicitor, \$2,500," goes out.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. There are carried in the legislative bill a very large number of offices which have been carried for a great many years at compensations and under titles different from the compensation and titles fixed in the organic act. In a long series of years Congress, in providing for the needs of the public service, has from time to time provided additional compensation and changed titles in order to obtain the services required to carry on the public service adequately. It is a notorious fact that this bill can be taken by any studious or industrious Member of the House and completely emasculated. That is known to the entire House. We have established a governmental service in all the various departments essential for the proper conduct of the public business. The Chair will probably recall that a few years since, as a result of a somewhat partisan controversy that arose in the House, two Members of the House undertook to eliminate from the legislative bill all of the items that were not strictly in order under the rules, and they carried their work to such an extent that at the completion of the bill the House, by a practically unanimous vote, adopted a rule reinserting all the items taken out, because it would have been ludicrous to pass through the House a bill purporting to provide for the departmental service which everybody knew in effect did not do so. The gentleman from Illinois [Mr. FOWLER] can follow that practice if he chooses to do so. If he were bringing to the attention of the Committee of the Whole items in this bill that the Committee on Appropriations were at this time attempting to do in the way of increasing forces or increasing compensation, which were not in strict conformity with the rules, that would be one matter, and I do not know that I have ever criticized anyone for exercising his rights under the rules in that respect; but to sit here and take out all these various items of appropriation which are absolutely essential for the conduct of the public service can not, it seems to me, be justified upon any theory whatever. It may be that the gentleman will carry his work to such an extent that in order to preserve the self-respect of the House, at the conclusion of the bill, the committee may be compelled to ask the adoption of a rule restoring all of the items eliminated in this way.

Mr. FOWLER. Mr. Chairman, I desire to offer an amendment to take the place of the \$2,500, which has been stricken out, and make it \$2,000, so that it will read "chief clerk and solicitor, \$2,000."

Mr. JOHNSON of South Carolina. I make the point of order against that amendment that it is not provided by law.

The CHAIRMAN. The point of order is sustained.

Mr. FITZGERALD. I ask the gentleman from South Carolina to withdraw the point of order.

Mr. JOHNSON of South Carolina. I will withdraw the point of order. Let the amendment be reported.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 68, line 16, strike out \$2,500 and insert \$2,000.

Mr. MANN. Mr. Chairman, I submit that that is not the amendment that was offered. Let the Clerk report the amendment that was offered.

The CHAIRMAN. The Clerk will report the amendment as offered by the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Mr. Chairman, I desire to amend my amendment.

Mr. FITZGERALD. Mr. Chairman, I demand that the amendment be reported.

The CHAIRMAN. If the gentleman from Illinois [Mr. Fowler] will wait a moment, the Clerk will report his original amendment.

The Clerk read as follows:

Page 68, lines 15 and 16, insert "chief clerk and solicitor, \$2,000."

Mr. FOWLER. Mr. Chairman, I desire to amend the amendment by striking out the words "and solicitor."

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amend the amendment by striking out the words "and solicitor."

Mr. MANN. I would like to ask the reason for striking out the words "and solicitor." This man is conceded to be a solicitor.

Mr. FOWLER. I do not understand that there is any such statutory office as solicitor provided for in this department.

Mr. MANN. That is true; but this department itself is a lawyer's department. It is the office of the Judge Advocate General. While he is an Army officer he is also a lawyer and has to be; his office is the legal department, and like any other legal department of the Government it requires a solicitor. Where there is a chief clerk he needs to be a lawyer or else have a lawyer besides. It is run as a legal office and does the legal work for the Army, and occasionally has furnished information to the House and the committees of the House of an important character in legal work.

Mr. FOWLER. Mr. Chairman, I do not desire to hinder or delay legislation in this body in any way whatever. I feel as sensible as any other Member of this House of my weakness and newness in this body. Under no consideration would I hold up this House, in any sense of the word, in any department of the Government which would handicap it or lessen its ability to carry out the great needs of the Government of this country to the fullest extent.

I resent, Mr. Chairman, any statement made here on the floor of this House which may impute to me a disposition of that kind. I do say, Mr. Chairman, that there is a regular and lawful way to proceed in all of the business in this House. We have a code of rules which are employed for the purpose of guiding Members in the conduct of bills in this House, and we have ample laws, fixed and definite, as to what is to be done and should be done in appropriations for furnishing the Government in its various departments ample revenue for the purpose of bringing to the country its greatest welfare. I therefore offer this amendment so that the gentleman from New York [Mr. FITZGERALD] may be advised as to my position in the premises—that is, that where a statutory office is created that it shall remain distinct and apart from all other positions, and that it can not be married to Tom, Dick, and Harry without the consent of the Congress of the United States.

Mr. FITZGERALD. The gentleman from Illinois does not imagine that this marriage to which he refers was placed in this law without the consent of the Congress of the United States. It was done in the House and agreed to by the Senate. That is how it is here. I ask for a vote on the amendment to the amendment.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment to the amendment was lost.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the words "two thousand" in the amendment and insert "twenty-five hundred."

Mr. FOWLER. I make a point of order, Mr. Chairman, to that amendment to the amendment.

The CHAIRMAN. On what ground?

Mr. FOWLER. Because it seeks to regulate the salary of a statutory office which is fixed by law.

Mr. FITZGERALD. I call the attention of the Chair to the fact that the gentleman's amendment provides for an office that is not provided for by statute; that is legislation, and under the rules of the House any germane legislation is in order.

The CHAIRMAN. The Chair understands that it is the unbroken rule that where an amendment is offered out of order and permitted to be acted on by the committee, it can be perfected in any way the committee may think best. So the point of order is not well taken. The question is on the amendment to the amendment offered by the gentleman from New York.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The Clerk read as follows:

Office, Chief, Quartermaster Corps: Assistant and chief clerk, \$2,750; 5 principal clerks, at \$2,250 each; clerks—15 of class 4, 25 of class 3, 44 of class 2, 85 of class 1, 50 at \$1,000 each, 10 at \$900 each; advisory architect, \$4,000; experienced builder and mechanic, \$2,500; inspector of supplies, \$2,500; draftsmen—3 at \$1,800 each, 7 at \$1,000 each, 5 at \$1,400 each; supervising engineer, \$2,750; 2 civil engineers, at \$1,800 each; electrical engineer at \$2,000; electrical and mechanical engineer, \$2,000; marine engineer, \$3,500; assistant marine engineer, \$1,800; sanitary and heating engineer, \$1,800; blue-print operator, \$900; 6 messengers; 14 assistant messengers; 12 laborers; 1 laborer, \$600; 1 laborer, \$480; in all, \$378,670.

Mr. FOWLER. Mr. Chairman, I reserve a point of order against that paragraph. I desire to ask the chairman of the committee why the chief clerk's salary is increased from \$2,000 to \$2,750. That is on page 69, at the bottom of the page.

Mr. JOHNSON of South Carolina. Mr. Chairman, the section of the bill now under consideration is the consolidated bureau resulting from the legislation in the last military appropriation bill that required three bureaus of the War Department to be consolidated.

Mr. FOWLER. Did it create any office of assistant and chief clerk, and thereby fix the salary?

Mr. JOHNSON of South Carolina. It certainly provided, Mr. Chairman, that these three bureaus in the War Department should be consolidated into one bureau. The statute itself does not fix the number of employees, and therefore under the general law we have the right to appropriate for such force as is necessary to carry on the work of that bureau. And I want to say, further, if the gentleman will permit me to give him the information—

Mr. FOWLER. That is sufficient.

Mr. JOHNSON of South Carolina. That these three consolidated bureaus for the present year are costing \$425,700. By the consolidation we are able to carry on this service for \$378,670, making, in round figures, a saving of \$50,000. I am surprised that the gentleman should object to such economy as that.

Mr. FOWLER. There is not such a saving as \$50,000. It is much less than \$50,000.

Mr. JOHNSON of South Carolina. How much less?

Mr. FOWLER. I have not the exact figures, but it does not reach \$50,000 by any means.

Mr. JOHNSON of South Carolina. The service is costing \$425,700 now. Under the proposed bill it will cost \$378,670. There are 43 people less provided for, and the net saving is \$47,030—in round numbers \$50,000.

Mr. FOWLER. I desire to ask if the statute does not fix the chief clerk's salary for this department at \$2,000?

Mr. JOHNSON of South Carolina. There is no statute fixing the chief clerk's salary in that bureau at any price.

Mr. FOWLER. I desire to call the attention of the chairman to the fact that the Quartermaster General's Corps provides for a chief clerk at a salary of \$2,000.

Mr. JOHNSON of South Carolina. Yes; but that is the old law. The military appropriation bill provided that these three bureaus should be consolidated. It abolishes all of the others.

Mr. FOWLER. Yes; but it does not make any change in the question of the chief clerk of the Quartermaster General's office.

Mr. JOHNSON of South Carolina. There is no such thing. It wiped all of them out of existence, and this section of the bill is prepared in accordance with the new law.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Certainly.

Mr. KAHN. Under the last Army appropriation bill the Quartermaster's Department, the Subsistence Department, and the Pay Department were consolidated under the name of the Quartermaster Corps. The \$2,000 that the gentleman speaks of refers to a chief clerk of the Quartermaster's Department. That department has been abolished. This provides for the Quartermaster Corps, an entirely new department, and the legislation that was enacted in the last Congress did not provide—

Mr. FOWLER. Was there any provision in that bill repealing the law creating the Quartermaster General's office and that department?

Mr. KAHN. By inference there was, because the Quartermaster's Department was consolidated with the Pay Department and the Subsistence Department in the Quartermaster Corps.

Mr. FOWLER. Is it not a fact that this is the Quartermaster General's Department, just the same as it has been always, and if not, what has become of the Quartermaster General and his clerks?

Mr. KAHN. The Quartermaster General does no longer exist. He is now called the Chief of the Quartermaster Corps. The office of Quartermaster General has been abolished. The office of Paymaster General has been abolished and the office of Commissary General has been abolished. They are all consolidated in the new Quartermaster Corps.

Mr. FOWLER. Mr. Chairman, I desire to make a point of order against that part of this paragraph, page 69, lines 24 and 25, wherein it is sought to create an assistant and chief clerk with a salary of \$2,750.

The CHAIRMAN (Mr. FOSTER). The Chair is of the opinion that the military appropriation bill of last year, in bringing about a consolidation of these offices, changed the office of Quartermaster General and Paymaster General and Commissary General, and created this new office called the Quartermaster Corps, and it is under the provisions of that legislation that the committee has appropriated for this new department. In the opinion of the Chair the point of order is not well taken, and the point of order is overruled.

The Clerk read as follows:

Office of the Surgeon General: Chief clerk, \$2,250; law clerk, \$2,000; clerks—13 of class 4, 11 of class 3, 26 of class 2, 32 of class 1, 10 at \$1,000 each, 3 at \$900 each; anatomist, \$1,600; engineer, \$1,400; 3 firemen; skilled mechanic, \$1,000; 2 messengers; 10 assistant messengers; 3 watchmen; superintendent of building (Army Medical Museum and Library), \$250; 6 laborers; chemist, \$2,088; assistant chemist, \$1,500; principal assistant librarian, \$2,250; pathologist, \$1,800; microscopist, \$1,800; assistant librarian, \$1,800; 4 charwomen; in all, \$166,358.

Mr. FOWLER. Mr. Chairman, I reserve a point of order against the paragraph. I desire to make the point of order against the salary of the chief clerk at \$2,250, because it is a statutory office wherein the salary is fixed by law at \$2,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, it is subject to the point of order, and I do not care to waste time over it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FOWLER. I desire to amend the bill by—

Mr. JOHNSON of South Carolina. Mr. Chairman, I move, in line 14, after the words "chief clerk," to insert the words "two thousand dollars."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend page 70, line 14, by inserting at the beginning of the line "\$2,000."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Office of the Chief of Engineers: Chief clerk, \$2,250; 2 chiefs of division, at \$2,000 each; clerks—8 of class 4, 11 of class 3, 13 of class 2, 16 of class 1, 10 at \$1,000 each, 11 at \$900 each; 6 messengers; 3 assistant messengers; 2 laborers; in all, \$104,070.

Mr. FOWLER. Mr. Chairman, I make the point of order against this paragraph confined to the salary of the chief clerk, which is denominated in this bill at \$2,250, whereas the statute fixes the salary at \$2,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FOWLER. Mr. Chairman, I desire to amend by inserting \$2,000 instead of \$2,250.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that the gentleman in charge of the bill has the preferential right to recognition.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move to insert "\$2,000" after the words "chief clerk."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 71, line 22, by inserting at the beginning of the line "\$2,000."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Office of the Bureau of Insular Affairs: Law officer, \$4,500; chief clerk, \$2,250; clerks—10 of class 4, 3 of class 3, 10 of class 2, 19 of class 1, 15 at \$1,000 each; 3 messengers; 2 assistant messengers; 4 laborers; 2 charwomen; in all, \$88,430.

Mr. FOWLER. Mr. Chairman, I reserve a point of order against the paragraph. I desire to ask the chairman of the committee why the chief clerk's salary is fixed at \$2,250 instead of \$2,000?

Mr. JOHNSON of South Carolina. Because we thought he was worth the money and ought to have it.

Mr. FOWLER. Why make a distinction here, and in other places in this same department of the Government you fix the chief clerk's salary at \$2,000, such as in the Engineer's Department?

Mr. JOHNSON of South Carolina. We fixed it at \$2,250 in order to equalize him with these and other chief clerks, and the gentleman made a point of order against it.

Mr. FOWLER. Mr. Chairman, I make a point of order against the chief clerk's salary at \$2,250.

Mr. JOHNSON of South Carolina. The point of order is not well taken, because there is no law fixing the salary at \$2,000.

Mr. FOWLER. I submit, Mr. Chairman, that if there is a law fixing the exact salary I have not been able to lay my hands to it; but I believe it was fixed along with the other departments. I withdraw the point of order, not being definite enough to give the proper information.

Mr. MANN. The gentleman can withdraw the point of order, but it is subject to the point of order.

The Clerk read as follows:

Contingent expenses of branch offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oreg.), Portland (Me.), Chicago, Cleveland, Buffalo, Duluth, Sault Ste. Marie, Panama, and Galveston, including furniture, fuel, lights, works and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, stationery, miscellaneous articles, rent and care of offices, care of time balls, car fare and ferrage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for the Pilot Charts, and for other purposes for which the offices were established, \$11,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, on page 82, line 23, before the word "Panama," insert the word "Seattle."

The CHAIRMAN (Mr. GARNER). The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 82, line 23, by inserting at the beginning of the line, before the word "Panama," the word "Seattle."

Mr. JOHNSON of South Carolina. Now, Mr. Chairman, in that connection I desire permission to insert in the Record certain correspondence.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to insert in the Record certain correspondence pertaining to the amendment just offered. Is there objection? [After a pause.] The Chair hears none.

The correspondence is as follows:

DECEMBER 5, 1912.

MR. G. F. COOPER,

Hydrographic Office, Navy Department, City.

MY DEAR MR. COOPER: It seems that the Committee on Appropriations drew the conclusion from your statement made to the committee with reference to the removal of the hydrographic office at Port Townsend, Wash., that there was no necessity for a hydrographic office on Puget Sound. I know, of course, that you did not intend that any such construction should be placed upon your statement. Will you please tell me what necessity there is for the continuance of such office on Puget Sound? I will be under obligations for an immediate reply.

Sincerely, yours,

W. E. HUMPHREY.

In number of ships, and perhaps also in tonnage, Puget Sound is the second port of the United States. Tonnage of Puget Sound in 1911, 2,857,818 tons. Of this amount 2,162,814 tons came from Seattle and was of the value of \$109,407,114.

HYDROGRAPHIC OFFICE,
Washington, D. C., December 6, 1912.

HON. W. E. HUMPHREY, M. C.,

House of Representatives, Washington, D. C.

MY DEAR MR. HUMPHREY: In reply to your letter of December 5, 1912, please permit me to express my great regret that the Committee on Appropriations should have placed the construction upon my testimony that they seem to have done. I had no intention whatever of conveying any impression that there was no necessity for a branch hydrographic office on Puget Sound. On the contrary, my testimony will show that the estimates requested the establishment of two offices on that Sound instead of one. The question was simply a relocation of the office now situated at Port Townsend and, if possible, the establishment of an additional office on Puget Sound. The office at Port Townsend, as I said to the committee (see p. 128, hearings on the legislative, executive, and judicial appropriation bill for 1914), is not advantageously situated with regard to the shipping interests centering on Puget Sound. Port Townsend is a small place, and most of the shipping that centers on Puget Sound simply uses Port Townsend as a port of entry and quarantine station. The ships do not remain sufficiently long at that port for their masters to properly avail themselves of the advantages of the branch office now situated there. They are compelled to receive their information and publications by mail, and if they wish a personal interview with the officer in charge of the office it is generally necessary for them to go up to Port Townsend, leaving their vessels.

If the office is moved to Seattle, the situation would be very much more advantageous to the shipping interests. There is great necessity for a branch hydrographic office on Puget Sound. This office maintains a time ball which is dropped every day at noon. It supplies mariners with the latest information concerning dangers to navigation in all parts of the world. It has on file for their information all the charts and sailing directions of the world corrected to date. With this office taken from Puget Sound, the shipping interests centering on that Sound would be deprived of this time service and information service, which is of great use to them. Our one desire in suggesting that the office be moved from one point on the Sound to another is that it might be still more useful to the shipping interests.

I had supposed that the Committee on Appropriations would understand from my hearing that the office at Port Townsend was not as advantageously situated as it would be at Seattle. In addition to the hearing, I left with the clerk of the committee a copy of my letter to the Secretary of the Navy transmitting the estimates, which letter specifically mentioned the removal of the office from Port Townsend to Seattle.

Very respectfully,

GEORGE F. COOPER,
Commander, United States Navy, Hydrographer.

Mr. MANN. In the current law I notice Port Townsend is included as one of the hydrographic offices. Is this intended to take the place of Port Townsend and provide the office at Seattle?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. Is that satisfactory to the gentleman from Washington [Mr. HUMPHREY]?

Mr. JOHNSON of South Carolina. I understand it is desired by the official heads. I have not had anything to do with the correspondence.

Mr. MANN. Is that satisfactory to the gentleman from Washington [Mr. HUMPHREY]?

Mr. JOHNSON of South Carolina. Yes; the gentleman from Washington requested me to make this amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Naval Observatory: Assistant astronomers—1 at \$2,400, 2 at \$1,800 each; assistant in department of nautical instruments, \$1,600; clerks—1 of class 4, 1 of class 2; instrument maker, \$1,500; electrician, \$1,500; librarian, \$1,800; assistants—3 at \$1,600 each, 3 at \$1,400 each, 2 at \$1,000 each; stenographer and typewriter, \$900; foreman and captain of the watch, \$1,000; carpenter, and engineer, at \$1,000 each; 3 firemen; 6 watchmen; elevator conductor, \$720; 9 laborers; in all, \$43,640.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to return to page 72, lines 14, 15, and 16, and pending that, to make this statement as the basis for a motion to strike out those lines.

Mr. JOHNSON of South Carolina. Mr. Chairman, reserving the right to object, I am perfectly willing that the gentleman shall make his statement as to the reason for returning to page 72.

The CHAIRMAN. Is there objection?

Mr. SMALL. Also a motion, unless there is objection.

Mr. CARLIN. Reserving the right to object, Mr. Chairman, does the unanimous consent carry with it the right to make the motion?

Mr. SMALL. Yes; providing there is no objection to it.

Mr. CARLIN. What is the motion to be?

Mr. SMALL. To strike out the section.

Mr. Chairman, the chairman of the Committee on Rivers and Harbors [Mr. SPARKMAN] was expecting to be present when that paragraph, on page 72, lines 14 to 16, was read, but he was unexpectedly and urgently called away from the Chamber, and has requested me to ask for this consent. This section sought to be repealed was included in the river and harbor act approved July 25, 1912. As a matter of fact, it was inserted as an amendment to the river and harbor bill while it was pending in the Senate, but it was inserted at the request of the Chief of Engineers, Gen. W. H. Bixby, upon the statement that it was necessary as an urgency measure. Section 10 of the river and harbor act sought to be repealed provides that the Chief of Engineers may, in preparing estimates in the carrying out of directions in the river and harbor act, employ such additional clerical help as may be necessary. The chairman of the committee desired, if he had been here, to move to strike out the paragraph repealing this section, and that is my purpose upon which I ask unanimous consent to return to it.

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] asks unanimous consent to return to page 72 for the purpose of making the motion to strike out lines 14, 15, and 16. Is there objection?

Mr. JOHNSON of South Carolina. Mr. Chairman, it is the purpose in the legislative, executive, and judicial appropriation bill to provide all the clerical services for the Government within the District of Columbia. It is impossible for the Committee on Appropriations to know the number of people employed and the compensation paid if, in addition to what we provide in this bill, lump sums are given by the Indian Affairs Committee and the Post Office Committee, the Rivers and Harbors Committee, and the various committees of this House which appropriate money. The rivers and harbors act, passed in July, 1912, in section 10, authorizes an expenditure for clerical services in the preparation of plans, and so forth. We carry in this bill \$42,000 for that purpose. When Maj. Ladue, representing the office of the Chief of Engineers, was before the committee I asked him if he desired any larger appropriation than they have for the current year. He replied that they did not. I asked him the further question as to how many clerks had been employed under the authorization in section 10 of the rivers and harbors act, and he stated that none had been employed. So, Mr. Chairman, while section 10 of the rivers and harbors act authorized the employment of clerical service, the Chief of Engineers had not found it necessary to employ anybody, and as it is our purpose in this bill to give to this bureau, and every other bureau, the clerical force necessary I shall have to object.

Mr. SMALL. I ask the gentleman to reserve his objection for just a moment.

Mr. JOHNSON of South Carolina. And I desire to insert in the RECORD the testimony before the committee when this bill was being made up.

Mr. SMALL. May I ask the gentleman whether in the hearing there was any statement made by Maj. Ladue, or anyone representing the War Department or office of the Chief of Engineers, that section 10 was not desired?

Mr. JOHNSON of South Carolina. I asked Maj. Ladue this question:

You are familiar with section 10 of the rivers and harbors act?

Maj. LADUE. For 1912?

Mr. JOHNSON of South Carolina. Yes, sir.

Maj. LADUE. Yes, sir; I am.

Mr. JOHNSON of South Carolina. Where did that originate?

Maj. LADUE. I am unable to say positively where it originated. It was put in by the Senate committee when the rivers and harbors bill was under consideration. I was not present at the hearings on that bill, and I have not read them. I really do not know who is responsible for the provision, but I know that is where it was put in.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to insert certain matters in his remarks. Is there objection?

There was no objection.

Following is the statement referred to:

STATEMENT OF MAJ. WILLIAM B. LADUE, FROM THE OFFICE OF CHIEF OF ENGINEERS.

Mr. JOHNSON. Major, your item is on page 154 of the bill. We will be glad to have you make any statement that you desire to make, if the notes are not as full as you would like them to be, in regard to these increases on page 154.

Maj. LADUE. The notes express briefly the reasons for the proposed increases. They are, first, a recommendation that the salary of the chief clerk be raised from \$2,000 to \$2,500, and, second, a recommendation for an increase of three in the clerical force.

Mr. JOHNSON. Is there anything else?

Maj. LADUE. As to the chief clerk, I would simply add to the notes that our present chief clerk has been in our office for 45 years. He has devoted his life to the service, and his present pay has been unchanged for about 25 years. He is a man of tact and courtesy and is an efficient and able man, thoroughly devoted to the interests of the service. He has a good deal of responsibility placed upon him. He is in charge of the general office administration.

Mr. JOHNSON. Do you mean to say that he has been a clerk there for 25 years without having any increase in pay?

Maj. LADUE. He has not been chief clerk all of that time, but he had the same salary before he was promoted to the position of chief clerk.

Mr. JOHNSON. But you mean to say that he has had no increase in 25 years?

Maj. LADUE. It is a condition that is not uncommon in our service.

NOTE.—Upon examining the office records it is found that the above statement with regard to the salary of the present chief clerk is not correct, his salary having been unchanged for 12½ years instead of 25 years as stated. An increase of \$200 per annum made 12½ years ago (July 1, 1900) was, however, the only increase in his salary since July 1, 1874, a period of 38½ years. The salary of the position of chief clerk has been unchanged since July 1, 1871, a period of over 41 years, during which time there have been two incumbents of the position, the first serving from July 1, 1871, until his death on July 10, 1901, and the present incumbent serving from July 15, 1901, to the present date.

Mr. JOHNSON. The purpose is to promote somebody in increasing these clerks of class 3?

Maj. LADUE. We need an additional force to carry on our work. Our work has increased right along. An analysis of the figures showing the papers that go through the office, the increase in the number of the appropriations, as well as in the amounts of the appropriations, and in the expenditures, with the annual river and harbor bill and the general increase in all public work handled by our office, shows that this increase has been continuous, and it shows no signs of decreasing. It rather shows signs of increasing steadily. This means, of course, more work in our office in the handling of projects, plans, and estimates, looking after the execution of work, replying to inquiries, recording papers, taking care of the accounts, the examination of papers, and the preparation of financial statements, and so on. So that we have been really requiring an additional clerical force for some time. We need more men. We have recommended increases in the medium grades with the idea, of course, if the increase is allowed, that the vacancies created will be filled by the promotion of clerks in the lower grades.

Mr. JOHNSON. How many clerks in all are provided in the legislative bill for your office?

Maj. LADUE. Seventy-two in the present bill. The bill carries 83, of whom 11 are messengers, assistant messengers, and laborers, making 72 clerks.

CLERKS UNDER AUTHORIZATION OF RIVER AND HARBOR BILL.

Mr. JOHNSON. How many clerks have you under the authorization of the river and harbor bill in addition to those provided for in the legislative bill?

Maj. LADUE. Last year we carried 1 chief of division and 10 clerks under that authority.

Mr. JOHNSON. You have reference, I think, to the section that authorizes the expenditure of not exceeding \$42,000. I mean what clerical services you have employed under the rivers and harbors act of 1912?

Maj. LADUE. None. We have not done anything under that.

Mr. JOHNSON. I am glad to hear that, because we may not always give you what you ask, but we do try to provide for all clerical services in the District of Columbia in this bill so that we can keep a record of it.

Maj. LADUE. Yes, sir.

Mr. JOHNSON. Now, do you desire any change in the section authorizing the employment of skilled draftsmen, civil engineers, etc., the expenditure not to exceed \$42,000?

Maj. LADUE. No, sir; we are asking for no change in that. We would like that to be the same.

CLERKS PAID FROM LUMP-SUM APPROPRIATIONS.

Mr. JOHNSON. In the last legislative bill there is a provision to the effect that people who are paid out of lump-sum appropriations shall not be paid a greater sum than the amounts paid for similar services during the preceding year. Has that embarrassed you any in your expenditures for this year?

Maj. LADUE. Well, it has not embarrassed us so far.

Mr. JOHNSON. Under what conditions would it embarrass you?

Maj. LADUE. The question, of course, turns entirely upon the interpretation of the words "similar services." If these words are narrowly interpreted to mean the same service that the individual man performed last year, it would, of course, as you see, absolutely bar any further promotion. We have not interpreted it that way and neither has the comptroller. It has been interpreted to permit promotions in the grades, when there are grades established, for the purpose of recognizing efficiency or increased value to the service. The place where it is most likely to worry us is in our field service. Of course the provision in the legislative act does not affect the field service, but the provision in the deficiency act, which is similar to the language in the legislative act, does affect our field service. But under our present interpretation it has not worried us, because we have interpreted it to mean that if anywhere in our field service we are paying draftsmen \$1,800 a year, then anywhere else in the field service draftsmen at \$1,200 can be promoted. I think that is the intent of the provision, and therefore it has not worried us. The effect of it is to put a limit on the top.

Mr. JOHNSON. Have you had a construction of it from the Comptroller of the Treasury? Have you asked for his interpretation of the law?

Maj. LADUE. We have not for our own departments, but I have seen several interpretations that he has rendered for other departments. You see it puts a limit on the top. All up through the grades we can work very well, but at the top you will find the man who will feel the pinch. If the services of the man at the top entitled him to an increase that we would be glad to give him, he would be barred by this provision.

SECTION 10, RIVERS AND HARBORS ACT.

[See also p. 88.]

Mr. JOHNSON. You are familiar with section 10 of the rivers and harbors act?

Maj. LADUE. For 1912?

Mr. JOHNSON. Yes, sir.

Maj. LADUE. Yes, sir; I am.

Mr. JOHNSON. Where did that originate?

Maj. LADUE. I am unable to say positively where it originated. It was put in by the Senate committee when the rivers and harbors bill was under consideration. I was not present at the hearings on that bill, and I have not read them. I really do not know who is responsible for the provision, but I know that is where it was put in.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Illinois?

Mr. JOHNSON of South Carolina. Certainly.

Mr. MANN. In the bill itself is contained that item, I think, that the gentleman refers to, of \$42,000 from which may be paid the services of skilled draftsmen, civil engineers, and so forth; to carry into effect the various appropriations for rivers and harbors and surveys, to be paid from appropriations for this purpose, not to exceed in the total \$42,000.

Now, the river and harbor section, section 10, covers the preparation for and consideration of river and harbor estimates and bills, for which there is no special emergency appropriation anywhere. Would it not be perfectly fair, with the repeal of section, to insert in this item that language so that within the limit of the \$42,000 they could employ some one for the emergency work in the preparation of the estimates in bill? It will leave the control of the matter with the Committee on Appropriations, and will require them to estimate for it and give reasons for it, and it will not increase the amount.

Mr. SMALL. Mr. Chairman, if the gentleman from Illinois will pardon me, I think his suggestion ought to be accepted, because while I can not reconcile the statement of Maj. Ladue with that of the Chief of Engineers, I do know—because I heard Gen. Bixby make a statement to that effect—that in his opinion an emergency does exist every year for additional help in making up estimates.

Mr. MANN. Probably the amount would be trifling, and it would not increase the appropriations any to insert that language.

Mr. JOHNSON of South Carolina. I have no objection to the language of the gentleman from Illinois because it is not our purpose to cripple any bureau of the Government.

Mr. MANN. We all understand that. If the gentleman will insert in the bill on page 72, line 7, after the word "surveys," the language, "and the preparation for and the consideration of river and harbor estimates and bills," I think it would be well, although I do not know whether that would cover it exactly or not. Probably it would need something additional. I think you had better return to that, if you want to do it.

Mr. JOHNSON of South Carolina. I suggest, Mr. Chairman, that we return to this item after the gentleman from Illinois has had time to prepare the amendment.

Mr. SMALL. In answer to the gentleman from South Carolina [Mr. JOHNSON], I do not understand, Mr. Chairman, that he consents to return to the item for the purpose of accepting a motion to repeal lines 14, 15, and 16, but to insert an amendment to the provision.

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] does not object to returning to that item for the purpose of making an amendment. Without objection, that will be done. The Clerk will read.

The Clerk read as follows:

Bureau of Yards and Docks: Chief clerk, \$2,250; draftsman and clerk, \$1,800; clerks—1 of class 3, 1 of class 2, 2 of class 1, 1 at \$1,100; 6 at \$1,000 each; assistant messenger; 3 messenger boys, at \$600 each; 2 laborers; in all, \$20,390.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] reserves a point of order on the paragraph.

Mr. MANN. I notice, Mr. Chairman, that there are a number of increases of salary of a number of chief clerks of the Navy Department. While my attention was engaged otherwise I see they were passed over. I supposed that my colleague [Mr. FOWLER] was going to take care of them. What is the reason for making these increases?

Mr. JOHNSON of South Carolina. I will say to the gentleman from Illinois that all the chief clerks in the Navy Department were increased from \$2,000 to \$2,250. The recommendation was to increase them to \$2,500. The committee was fairly satisfied that the work required of a man in the position of a chief clerk in any of the bureaus of the Navy Department is such as could well justify the salary of \$2,250. We believed that the salaries of the chief clerks in the Navy Department were very much less than the salaries of men doing corresponding work in other departments, and we increased all of them because we believed they merited the increase.

Mr. MANN. Well, is the office of Chief of Ordnance in the Navy Department so much more important than the office of Chief of Ordnance in the War Department?

Mr. JOHNSON of South Carolina. There was not anything before us on the matter from the War Department, concerning which the gentleman has just asked, upon which we could operate. In both the War and Navy Departments wherever the estimates called for an increase for the chief clerks we allowed \$250 instead of \$500.

Mr. MANN. This is one of those cases, then, where virtue is not its own reward, and modesty does not pay. The Chief of Ordnance of the War Department, thinking it was not the policy of Congress to make increases of salaries, refrained from requesting an increase for his chief clerk. The chief clerk himself probably did not desire to be turned down, but wanted to comply with the spirit that he believed would be likely to actuate Congress, and therefore he did not ask for an increase for himself. He does not get an increase, although he is just as important to the Government and to the department as anybody. All those who asked for increases got them. I go on the theory, usually, that when you find a man who is doing good work and is modest enough not to be "hollering" about getting something more, you can afford to do something for him, rather than for the one who is always complaining and insisting that he ought to be better provided for.

Mr. JOHNSON of South Carolina. Well, the gentleman from Illinois understands that where we are providing for 16,000 employees in this bill it is impossible for us to inquire into the merits of every employee unless they are brought to our attention.

Mr. MANN. I have no intention of complaining about the Committee on Appropriations, which does very efficient work, and I am always willing to compliment the gentleman from South Carolina [Mr. JOHNSON] on his work. And yet when the gentlemen are proposing to increase the salaries of chief clerks throughout certain branches of the governmental service, it seems to me I would not leave out one who evidently ought to have his salary increased if others are increased, because he has been modest enough not to kick about what he is getting.

The CHAIRMAN. The Clerk will read.

Mr. MANN. What became of my point of order?

The CHAIRMAN. The Chair understood the gentleman to withdraw his point of order.

Mr. MANN. I did not; but I will.

The CHAIRMAN. The gentleman withdraws his point of order. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR.

Office of the Secretary: Secretary of the Interior, \$12,000; First Assistant Secretary, \$5,000; Assistant Secretary, \$4,500; chief clerk, including \$500 as superintendent of buildings, who shall be chief executive officer of the department and who may be designated by the Secretary of the Interior to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the department, \$4,000; assistant to the Secretary, \$2,750; assistant attorneys—1 at \$2,500; 2 special inspectors, whose employment shall be limited to the inspection of offices and the work in the several offices under the control of the Department of the Interior, at \$2,500 each;

6 inspectors, at \$2,500 each; chief disbursing clerk, \$2,250; clerk in charge of supplies, \$2,250; clerk in charge of mails, files, and archives, \$2,250; clerk in charge of publications, \$2,250; private secretary to the Secretary, \$2,500; clerks—4 at \$2,000 each; 13 of class 4, 18 of class 3, 21 of class 2, 24 of class 1, 3 at \$1,000 each; returns office clerk, \$1,600; female clerk, to be designated by the President, to sign land patents, \$1,200; 8 copyists; multigraph operator, \$900; assistant multigraph operator, \$720; typewriter repairer, \$900; 2 telephone switch-board operators; 9 messengers; 7 assistant messengers; 21 laborers; skilled mechanics—1 at \$900, 1 at \$720; 2 carpenters, at \$900 each; plumber, \$900; electrician, \$1,000; laborer, \$600; 6 laborers, at \$480 each; packer, \$660; 2 conductors of elevators, at \$720 each; 8 charwomen; captain of the watch, \$1,200; 40 watchmen; additional to 2 watchmen acting as lieutenants of watchmen, at \$120 each; engineer, \$1,200; assistant engineer, \$1,000; 7 firemen; clerk to sign, under the direction of the Secretary, in his name and for him, his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in the Indian Territory, \$1,200; in all, \$275,570.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on this paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] reserves a point of order on the paragraph.

Mr. FOSTER. As I understand, this provides, on page 91, lines 4 and 5, for an additional attorney for the Interior Department. Is that correct?

Mr. JOHNSON of South Carolina. No; there is no increase. There is a transfer.

Mr. FOSTER. Last year's bill, I think, provided for but one, as I understand it.

Mr. JOHNSON of South Carolina. There is no change in it. There is no increase whatever.

Mr. FOSTER. Last year the bill provided for an assistant attorney at \$2,500. I do not find this additional attorney in last year's law. This seems to provide for two attorneys, but last year's bill appropriated for but one.

Mr. MANN. There is only one attorney provided for here.

Mr. FOSTER. In the bill I have it says:

Assistant attorneys—one, \$2,500.

Mr. MANN. Assistant attorney—one, at \$2,500.

Mr. FOSTER. My bill says "assistant attorneys."

Mr. MANN. That is a heading.

Mr. FOSTER. What I was getting at was whether there was a provision in the law for one and this provided for an additional one.

Mr. MANN. That is a heading which is supposed to cover what comes after.

Mr. FOSTER. My colleague may be right about that.

Mr. JOHNSON of South Carolina. If the gentleman [Mr. FOSTER] will look at the punctuation he will see that there is only one provided for at \$2,500. Then we provide for other forces under that heading. There is no change whatever in the paragraph.

Mr. FOSTER. This provides for only one assistant attorney?

Mr. JOHNSON of South Carolina. Yes.

Mr. SMALL. Mr. Chairman, on behalf of the chairman of the Committee on Rivers and Harbors, the gentleman from Florida [Mr. SPARKMAN], I desire to offer an amendment on page 72.

The CHAIRMAN. We have passed page 72.

Mr. SMALL. It was agreed that we should return to page 72 for this purpose.

The CHAIRMAN. The gentleman from North Carolina requests unanimous consent to return to page 72 for the purpose of offering a certain amendment. Is there objection?

Mr. JOHNSON of South Carolina. Let the clerk report the amendment.

Mr. FOSTER. Reserving the right to object, let us hear the amendment reported.

The Clerk read as follows:

On page 72, in line 7, after the word "survey," insert the following: "Preparation for and the consideration of river and harbor estimates and bills."

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] asks unanimous consent to return to page 72 for the purpose of offering the amendment which has just been reported.

Mr. JOHNSON of South Carolina. I have no doubt this amendment is all right.

Mr. FOSTER. I should like to reserve the right to object until I hear the gentleman's statement.

Mr. MANN. This is what we discussed a while ago.

Mr. SMALL. Mr. Chairman, by a paragraph of the bill on page 72 it is proposed to repeal section 10 of the river and harbor act of 1912 because of the indefiniteness of it, and because there was no limit upon the amount which might be expended. This amendment which I have offered gives to the Chief of Engineers the right to employ clerical help in the emergencies referred to in the original section of the river and harbor act sought to be repealed and removes the objectionable features, and is a satisfactory provision.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. SMALL]?

There was no objection.

The CHAIRMAN. The Clerk will now report the amendment.

The Clerk read as follows:

On page 72, in line 7, after the word "survey," insert "preparation for and reconsideration of river and harbor estimates and bills."

Mr. MANN. The word "and" should be inserted before the word "preparation."

Mr. SMALL. I ask unanimous consent to insert the word "and," before the word "preparation," in the amendment.

The CHAIRMAN. Is there objection?

There was no objection.

The amendment was agreed to.

The Clerk read as follows:

For per diem in lieu of subsistence of two special inspectors, Department of the Interior, while traveling on duty, at a rate to be fixed by the Secretary of the Interior, not exceeding \$4 per day, and for actual necessary expenses of transportation (including temporary employment of stenographers, typewriters, and other assistance outside of the District of Columbia, and for incidental expenditures necessary to the efficient conduct of examinations), to be expended under the direction of the Secretary of the Interior, \$4,500.

Mr. COX of Indiana. Mr. Chairman, I move to strike out the last word. I would like to inquire of the gentleman in charge of the bill about this item of inspectors at \$4 a day. In one place in the bill I notice that the per diem is \$3 a day and in another place \$4 a day. I would like to inquire as to the reason for this difference.

Mr. JOHNSON of South Carolina. There are some Government employees who are allowed \$3 a day and others allowed \$4 a day. Those that are allowed \$3 are the inspectors who are out in the country, where their expenses are less than in the cities at expensive hotels.

Mr. COX of Indiana. As I understand, in the bill under consideration some are allowed \$3 a day and others \$4 a day.

Mr. JOHNSON of South Carolina. Yes; and for that reason.

Mr. COX of Indiana. I would like to inquire further whether or not it is not the custom of the department in the Assistant Attorney General's Department to allow the full \$4 a day?

Mr. JOHNSON of South Carolina. I think they do allow the full amount.

Mr. COX of Indiana. Does not the gentleman feel that it would be just and proper to put all the per diem employees on the same basis?

Mr. JOHNSON of South Carolina. No; as I stated a moment ago, the distinction is brought about by reason of the difference in the circumstances. If a man is required to go on Government business to large cities where hotels are expensive, he is put to more expense than when he is traveling in the country, where the people are hospitable and the expenses are smaller.

Mr. COX of Indiana. I want to state to the gentleman that a few years ago the post-office inspectors were allowed \$4 per day, and they used the same argument, but finally the House came to the conclusion that \$4 a day was too much, and they reduced it to \$3 per day. I do not remember the exact amount of the saving that it brought to the Government, but it was something like \$40,000 or \$50,000 a year. I am disposed to believe that \$3 a day is a plenty, and I believe they all ought to be treated alike. I can not see the justice of allowing one set of men \$3 a day and another set \$4 a day, because I recognize that they can conjure up some sort of argument to justify the \$4 a day rate.

Mr. JOHNSON of South Carolina. I have stated to the gentleman the reason why some get \$4 a day and some \$3 a day. It was thought that those in the country had less expense than those who have their work in the cities.

Mr. COX of Indiana. Where do these men travel, as a rule, who are provided for in the Assistant Attorney General's office? What are their duties?

Mr. JOHNSON of South Carolina. There is nothing of that sort in that office. The people the gentleman speaks of are under the Secretary of the Interior himself.

Mr. COX of Indiana. That is right; I was looking at the wrong paragraph. Where do the inspectors in the Interior Department usually travel?

Mr. JOHNSON of South Carolina. They travel in all public-land States.

Mr. COX of Indiana. That is altogether in the western part of the country?

Mr. JOHNSON of South Carolina. Yes; the land offices where they are required to go are located in the cities.

Mr. COX of Indiana. I understand that, but all the land offices are not located in large cities.

Mr. JOHNSON of South Carolina. No; but they are all located in cities.

Mr. COX of Indiana. Mr. Chairman, I ask unanimous consent to withdraw my pro forma amendment.

The CHAIRMAN. The gentleman from Indiana withdraws his pro forma amendment.

Mr. COX of Indiana. Now, Mr. Chairman, I move to strike out, in line 23, page 92, the figure "4" and insert in lieu thereof the figure "3," so that it will read "\$3 per day."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 23, page 92, strike out the figure "4" and insert the figure "3," so that it will read "\$3 per day."

Mr. COX of Indiana. Mr. Chairman, I do not wish to be parsimonious, but I think \$3 a day for these men is plenty. I realize that an argument can be made to justify it on different grounds, but at the same time I do not believe it is needed. I believe the economy which will be brought about as a result would be just, wise, and equitable to the people of this country, and I think that the amendment I have offered ought to obtain.

Mr. JOHNSON of South Carolina. Mr. Chairman, these inspectors are in the land offices in public-land States. Their business takes them to Seattle, Portland, San Francisco, and a large part of their time they are obliged to travel from one city to another, living in Pullman cars, and it has not been very long since that item was increased from \$3 to \$4 a day because it was impossible for them to subsist on \$3 a day.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken, and the amendment was lost.

The Clerk read as follows:

Hereafter the right of review by the Secretary of the Interior of the action of the Commissioner of Pensions in relation to claims for Army and Navy pensions, or in relation to the payment of Army and Navy pensions, shall be limited and confined to questions of law.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on the paragraph. I observe this limits the appeal to the Assistant Secretary of the Interior to matters of law and prevents him from going any further in settling an appeal in a pension claim.

Mr. JOHNSON of South Carolina. Mr. Chairman, the Commissioner of Pensions states that only 2 per cent of all the cases appealed are reversed on questions either of law or fact. He believes that the force in the Pension Office is better qualified to pass upon the facts in an application for pension than probably any other force that could be gotten together. There is no reason why there should be appeals upon questions of fact. The Commissioner of Pensions is deeply interested in this subject, is familiar with all the work in the Pension Office, having risen from a subordinate position to the head of the bureau, and he thinks no appeals should be allowed on questions of fact.

Mr. FOSTER. Mr. Chairman, I have very high regard for the honesty and integrity and ability of Mr. Davenport, the Commissioner of Pensions, and believe that his duties are discharged in a satisfactory way so far as he is able to oversee that work, but it has occurred to me that since they have in the department a law division as well as a medical division there is no reason why questions of law should be considered on appeal any more than medical questions, as well as questions of fact. For instance, a local medical board examines a pensioner, and that board gives him a certain rating, which is provided for in the law as a part of their duty. That finding goes to the medical board in the Pension Office. That board passes upon the case of the pensioner, and in doing so may determine from the report of the local board that examined the pensioner that he is not entitled to the amount that is recommended by the board at home, in the community where the pensioner resides. I may be wrong, but it occurs to me that on an appeal on a question of that kind the pensioner ought to have the right to have his case reviewed so far as those facts are concerned as well as on the questions of law.

Mr. JOHNSON of South Carolina. The gentleman from Illinois understands that the men in the Pension Office have had years of experience and training in passing upon questions of fact of that nature, and he will understand that when an appeal is taken to the Secretary of the Interior the men who constitute the appellate court, so to speak, are lawyers, and, while quite familiar with the law, have no special fitness for passing on facts in a pension case.

Mr. FOSTER. I would suggest that if that appeal board is composed entirely of lawyers, then the board ought to be changed. There ought to be others on the board who would be able to judge more particularly of medical facts as well as matters of law.

Mr. JOHNSON of South Carolina. I am told they have a medical expert as well.

Mr. COX of Indiana. Does the Secretary of the Interior recommend this legislation also?

Mr. JOHNSON of South Carolina. I do not know what his views on that question are. I have stated the views of the Commissioner of Pensions.

Mr. FOSTER. It has occurred to me that the pensioner should have a right to have his case on appeal reviewed as to matters of fact. If you are going to say that the men in the Pension Bureau are more able to judge of a pension case, then why have any appeal at all? Or if he has a right to have an appeal, why not let that appeal consider all the surroundings of that particular case?

Mr. JOHNSON of South Carolina. The gentleman will understand that these questions have been settled so often that there are very few appeals necessary now. Under recent legislation the difficulty of the Pension Office is a mere matter of calculating how long a soldier has served. It depends upon how long he was in the service as well as upon the question of disability.

Mr. FOSTER. I do not agree with the gentleman on that point at all, because under the pension law lately passed in one clause there is a provision for \$30 a month when the pensioner is able to show by medical evidence that the disease or wounds contracted in the service are such as to prevent him from performing manual labor, regardless of age or time he served. In that case, if he is 65 years of age and served nine months or a year, then the question is whether he is entitled to \$30 a month under the provisions of that law, and it seems to me if he is dissatisfied with the action of the Pension Commissioner that he should have a right to appeal his case to the Assistant Secretary of the Interior, if we are going to have any appeal at all.

Mr. JOHNSON of South Carolina. I will say, Mr. Chairman, that this is legislation and is subject to a point of order.

Mr. FOSTER. I have read the hearings and know what Mr. Davenport said.

Mr. JOHNSON of South Carolina. I have great confidence in the Commissioner of Pensions, and I think his judgment is of great value, and I would as soon follow him as anybody I know.

Mr. FOSTER. I will say to the gentleman from South Carolina I believe I have as much confidence in the Commissioner of Pensions as he has, and I have a very high regard for his honesty, integrity, and his judgment, and yet I submit I might have an opinion of my own in reference to this matter which would vary with the Commissioner of Pensions without doubting his ability, his honesty, or his integrity.

The CHAIRMAN. Does the gentleman from Illinois withdraw the point of order?

Mr. FOSTER. No; I insist on the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For per diem, when absent from home and traveling on duty outside the District of Columbia, for special examiners or other persons employed in the Bureau of Pensions detailed for the purpose of making special investigations pertaining to said bureau, in lieu of expenses for subsistence, not exceeding \$3 per day, and for actual and other necessary expenses, including telegrams, \$215,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask the gentleman from South Carolina [Mr. JOHNSON], in reference to the disbursing clerk's office which pays pensions, how the cost of that compares with the present cost of paying pensions? Also as to what is to become of the clerks in the various pension agencies? Then I would also like to know, if I may, whether this provision about filling vacancies only to the extent of 25 per cent will not injuriously affect the disbursing clerk's office.

Mr. JOHNSON of South Carolina. Mr. Chairman, in reply to the several questions of the gentleman from Illinois I will say that the disbursing clerk provided for here is provided for in the law that abolished the pension agencies throughout the country.

Mr. MANN. Yes; I am familiar with that. What is the cost proposed for paying pensions under the consolidated office here and the present cost of paying pensions through the various pension agencies?

Mr. JOHNSON of South Carolina. The difference is \$131,100.

Mr. MANN. More?

Mr. JOHNSON of South Carolina. It will be that much less under the new arrangement.

Mr. MANN. That is, it is that much more now than under the new arrangement?

Mr. JOHNSON of South Carolina. Yes. Now, in answer to the question as to what becomes of the clerks who were in the various pension agencies throughout the country, it is provided that they shall be transferred to the office at Washington. There are 300 of them. Some of them do not care to come to Washington. We have provided for the number that the Commissioner of Pensions believes that he will need and all that he believes will come to Washington.

Mr. MANN. Well, can they be transferred to Washington?

Mr. JOHNSON of South Carolina. Yes; the law specifically provides for that, as I understand.

Mr. MANN. The law we passed last session does the gentleman mean?

Mr. JOHNSON of South Carolina. They are in the classified service, and they will be transferred under the rules for transferring employees from one place to another. The reason for putting in the clause that only 25 per cent of the vacancies shall be filled is this: There has been for many years in the appropriation bill language to the effect that none of the vacancies in the Pension Office shall be filled, because the work was growing rapidly less. Under the recent legislation increasing pensions it was necessary to increase the force. The commissioner thought, therefore, it would be better not to allow all vacancies to remain, but to allow him to fill 25 per cent in order that there may be no difficulty in having sufficient force.

Mr. MANN. Of course there will not be any less work probably on the disbursing clerk's office. Is it contemplated, then, that the places of clerks dropped out of the disbursing clerk's office shall be filled by transferring them from the general Pension Office?

Mr. JOHNSON of South Carolina. I beg the gentleman's pardon.

Mr. MANN. The work of the disbursing clerk's office is not likely to decrease very rapidly or for some time. Is it contemplated that as clerks drop out their places will be filled by transferring from other portions of the Pension Office?

Mr. JOHNSON of South Carolina. The gentleman understands there are 250 people who will be brought here from the agencies throughout the country, and that those gentlemen primarily will work in the disbursing clerk's office, but it was thought that probably the disbursing would not require the full time of all of these people, and we inserted a provision in the bill that when not engaged in that work they might be employed upon the general work of the office. It is not thought that the provision that only 25 per cent of the vacancies shall be filled during the next fiscal year will embarrass the Pension Office in any way whatever. I would call to the gentleman's attention page 197 of the hearings, where the following occurred:

Mr. JOHNSON of South Carolina. Is it proposed, Mr. Davenport, to bring from the pension agencies to Washington clerks who are now employed in those agencies if they desire to come?

Mr. DAVENPORT. All that desire to come and are efficient. There are some very old clerks we would not think of bringing here.

Mr. JOHNSON of South Carolina. What proportion of the clerks in the agencies do you anticipate will come to Washington, or have you any data that would enable you to state it?

Mr. DAVENPORT. More will come than are appropriated for.

I thought he said 250.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MANN] reserve a point of order?

Mr. MANN. No; I do not. I was trying to eliminate the word "dollars" from the bill. I am not quite through yet, unless my time has expired. May I ask the gentleman from South Carolina [Mr. JOHNSON] what information he has?

Mr. JOHNSON of South Carolina. If there is any danger of the force in the disbursing office being impaired by reason of that clause of the bill, I am willing to transpose lines 13 to 21, so as to precede the disbursing clerk's section, and let it apply to the other portion of the force only.

Mr. MANN. And insert the word "above."

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent at the end of line 3, page 97, to insert the language beginning on line 13, page 97, and ending on line 21, page 97, as an amendment.

Mr. MANN. And insert after the word "herein," at the end of line 15, the word "above."

Mr. JOHNSON of South Carolina. And insert after the word "herein," at the end of line 15, the word "above."

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent to return to page 97 and offer an amendment, which the Clerk will report.

The Clerk read as follows:

Page 97, after line 13, insert the following:

"During the fiscal year 1914 not more than 25 per cent of the vacancies occurring in the classified service of the Bureau of Pensions herein above provided for shall be filled except by promotion or demotion from among those in the classified service in said bureau. And the salaries

or compensation of all places which may not be filled as herein above provided for shall not be available for expenditure, but shall lapse and shall be covered into the Treasury."

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The question now is on the amendment offered by the gentleman from South Carolina [Mr. JOHNSON].

The amendment was agreed to.

Mr. JOHNSON of South Carolina. Now, on page 97, beginning with line 13, I move to strike out down to and including line 21.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 97, strike out all of lines 13 to 21, inclusive.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For necessary traveling expenses of the commissioner in studying educational systems, visiting educational institutions, and attending meetings of educational associations, societies, and other organizations for the purpose of collecting and disseminating information respecting educational conditions, \$1,500.

Mr. MANN. Mr. Chairman—

Mr. FOSTER. Mr. Chairman, I reserve a point of order on this paragraph. I would like some information. I refer to the top of the first paragraph on page 101.

Mr. JOHNSON of South Carolina. The Commissioner of Education desired the committee to give him \$20,000 for the purpose of paying the traveling expenses of himself and his experts throughout the country. It is necessary that the Commissioner of Education and those representing him should do some traveling, and we allowed \$1,500 for that purpose. There is legislation pending in both branches of Congress which would probably largely increase the activities of that bureau, and we did not feel disposed to anticipate the action of Congress.

Mr. FOSTER. The gentleman's committee was very kind in giving him one-twentieth of what he asked.

Mr. JOHNSON of South Carolina. Fifteen hundred dollars is more than one-twentieth of what he asked.

Mr. FOSTER. Well, it seems to me if we start on this sort of work there will be no end to the amount of traveling the Commissioner of Education will do over the United States.

Mr. BYRNS of Tennessee. This limits him.

Mr. FOSTER. But it limits him and those under him to the extent of \$1,500. He does not have any agricultural colleges to visit. I believe I shall insist on the point of order.

Mr. JOHNSON of South Carolina. It is subject to a point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] makes a point of order, page 101, lines 1 to 6, inclusive. The point of order is sustained. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Postal Savings System: For the following, now authorized and being paid from a general appropriation: Director, \$5,000; assistant director, \$3,000; 2 chiefs of division, at \$2,500 each; 2 assistant chiefs of division, at \$2,000 each; clerks—10 of class 4, 15 of class 3, 25 of class 2, 50 of class 1, 50 at \$1,000 each, 20 at \$900 each; 2 messengers; 4 assistant messengers; 3 laborers; 3 pages at \$480 each; in all, \$229,980.

Mr. MANN. Mr. Chairman, I raise a point of order on that paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] raises a point of order on that paragraph.

Mr. MANN. I notice, Mr. Chairman, as to the postal-savings banks, that there is provided a specific salary for the director at \$5,000, which may or may not be too much. It may be too little, for all I know. But it is the only \$5,000 position in the Post Office Department, I believe, where the incumbent is not an assistant to the Postmaster General. I suppose this office is under one of the Assistant Postmasters General.

Wherever they create an office and pay its employees out of a lump sum they usually pay much higher salaries than anywhere else in the department. In this case the office was payable out of a lump-sum appropriation, and the salary of the director was fixed at \$5,000. A \$5,000 salary for this office is not at all on a plane with the other salaries in the Post Office Department, either of those superior to this office or on an equality with this office or inferior to this office. The purchasing agent of the Post Office Department is fully as important as the director of the postal-savings banks. There are many other places in the Post Office Department that are equally important. I suppose the committee did not care to assume the responsibility of changing the salary and so took it the way it was.

Mr. JOHNSON of South Carolina. The gentleman from Illinois has already stated that when the postal-savings law was passed a lump-sum appropriation was made to carry on the work. Under that lump-sum appropriation this division was created by the Postmaster General, who fixed the salaries.

The salary of the director was placed at \$5,000. In order that this committee might know the number of people employed and the salaries paid, we directed that they should furnish us with a list of the employees and of the salaries, and that they should be carried hereafter on the statutory roll. In accordance with that law they made their estimates this year. We took the force they had, and we did not feel justified in changing this salary, because while it looks as though \$5,000 is a large sum for the head of a division, we realize that the deposits now amount to \$28,000,000, I believe, and they will grow from year to year.

Mr. MANN. Well, that is probably true. A big man ought to be at the head of every division. In the Division of Money Orders the superintendent gets a salary of \$3,500 a year. I believe the money orders amount to several hundred million dollars a year—close to a billion dollars a year. I do not know whether this salary is too small or whether the duties are much more onerous with reference to the director of the postal savings banks. I do not say that the salary of \$5,000 is too much, but it is too much in proportion to the other salaries that are paid in the Post Office Department.

Mr. JOHNSON of South Carolina. If it is, it simply demonstrates what some of us have all along believed, that lump-sum appropriations ought not to be made, but that the employees ought to be provided for specifically, as we try to do in this bill.

Mr. MANN. Yes; but it is inevitable to make lump-sum appropriations under certain circumstances, like those surrounding the postal savings-bank establishment. Then the question is, when the matter comes to be fixed by Congress, what Congress will do, because Congress is not bound by what the department does in regard to it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF JUSTICE.

Office of the Attorney General: Attorney General, \$12,000; Solicitor General, \$10,000; assistant to the Attorney General, \$7,000; 7 Assistant Attorneys General, at \$5,000 each; Assistant Attorney General of the Post Office Department, \$5,000; Solicitor of Internal Revenue, \$5,000; Solicitor for the Department of State, \$5,000; 4 attorneys, at \$5,000 each, one of whom shall have charge of all condemnation proceedings in the District of Columbia and supervise the examination of titles and matters arising from such condemnation proceedings in which the United States shall be a party or have an interest, and no special attorney or counsel, or services of persons other than of those provided for herein, shall be employed for such purposes; attorneys—1 \$3,750, 3 at \$3,500 each, 1 at \$3,250, 12 at \$3,000 each, 2 at \$2,500 each; assistant attorneys—1 \$3,500, 2 at \$3,000 each, 2 at \$2,750 each, 5 at \$2,500 each, 1 at \$2,400, 2 at \$2,000 each; assistant examiner of titles, \$2,000; chief clerk and ex officio superintendent of the buildings, \$3,000; superintendent of buildings, \$500; private secretary and assistant to the Attorney General, \$3,000; clerk to the Attorney General, \$1,600; stenographer to the Solicitor General, \$1,600; law clerks—3 at \$2,000 each, 2 of class 4; clerk in office of the Solicitor of Internal Revenue, \$1,800; attorney in charge of pardons, \$3,000; superintendent of prisons, \$4,000; disbursing clerk, \$2,750; appointment clerk, \$2,000; chief of division of investigation, \$3,500; examiners—2 at \$2,500 each, 4 at \$2,250 each, 2 at \$2,000 each, 3 at \$1,800 each; librarian, \$1,800; clerks—7 of class 4, 11 of class 3, 7 of class 2, 15 of class 1, 14 at \$1,000 each, 21 at \$900 each; chief messenger, \$1,000; packer, \$900; messenger, \$900; 5 messengers; 13 assistant messengers; 7 laborers; 7 watchmen; engineer, \$1,200; 2 assistant engineers, at \$900 each; 4 firemen; 2 conductors of the elevator, at \$720 each; head charwoman, \$480; 22 charwomen. Division of Accounts: Chief of division of accounts, \$2,500; examiner, \$2,500; chief bookkeeper and record clerk, \$2,000; clerks—4 of class 4, 5 of class 3, 6 of class 2, 6 of class 1, 2 at \$900 each; in all, \$424,610.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I notice that the examiners in the Division of Investigation have been reduced. That is the division, I believe, that does the secret-service work.

Mr. JOHNSON of South Carolina. It is simply a transposition. There is no change. The Department of Justice made no request for any increases or decreases. They simply have current law, and wherever it appears that any change is made it is due to the fact that somebody has been transferred.

Mr. MANN. Where has this item been transferred to?

Mr. JOHNSON of South Carolina. We put them in the Division of Accounts, because the last legislative bill provided that in the Division of Accounts an administrative audit should take place.

Mr. MANN. You have transferred an examiner at \$2,500 to the Division of Accounts, with three clerks?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. I would not desire to have the Division of Investigation unduly interfered with, because I noted the other day, with considerable interest and some pride, that under the so-called Mann white-slave act there had already been 335 convictions.

If there is anybody on earth who deserves to receive a penitentiary sentence it is some designing chap who has monkeyed with the buzz saw and violated that white-slave law.

The CHAIRMAN. The clerk will read.

The Clerk read as follows:

To enable the Secretary of Commerce and Labor to provide and pay for the medical examination of employees of the United States receiving compensation for injuries under the provisions of the act of May 30, 1908, as directed by section 5 of said act, and for clerical assistance in its administration, and for subsistence, transportation, and traveling expenses of officers and employees of the Bureau of Labor while traveling on duty away from their homes and outside of the District of Columbia while engaged in the investigation of claims arising under the provisions of said act, \$3,000.

Mr. COX of Indiana. Mr. Chairman, I desire to inquire of the gentleman in charge of the bill whether or not there is any schedule of fees fixed by the department for the payment of these doctors?

Mr. JOHNSON of South Carolina. No, sir; I do not think so; but it was thought that under certain circumstances it was best that a medical examination should be made promptly, and we allowed the small sum of \$3,000 for that purpose.

Mr. COX of Indiana. Was this item carried in last year's bill?

Mr. JOHNSON of South Carolina. Yes.

Mr. COX of Indiana. What I wish to know is if there is any schedule of fees regularly fixed for the payment of physicians when they make these examinations?

Mr. JOHNSON of South Carolina. No; not so far as I know.

Mr. COX of Indiana. Can the gentleman tell how they are paid, how the amount is arrived at?

Mr. JOHNSON of South Carolina. The doctors make the examination and make their charges.

Mr. COX of Indiana. How much was appropriated last year?

Mr. JOHNSON of South Carolina. Three thousand dollars.

Mr. COX of Indiana. Was the entire sum used last year?

Mr. JOHNSON of South Carolina. I do not know whether there was any of it turned back into the Treasury or not. Last year we asked for all of these items, but this year we have not received them. I will say to the gentleman that we had to make up this bill before many of the reports required by law to come to Congress had been printed.

Mr. COX of Indiana. I am not criticizing the gentleman's bill. On the contrary, I am commending it.

Mr. JOHNSON of South Carolina. When we made up this bill last year we knew in every case whether all of an appropriation had been used or any of it had been turned back into the Treasury, but we do not know this year.

Mr. COX of Indiana. Does the gentleman know how much of the appropriation for this fiscal year has been used up to this time?

Mr. JOHNSON of South Carolina. Only between \$200 and \$300 of the \$3,000 has been used up to this time, and they have paid out under that law approximately a million of dollars for injuries.

Mr. COX of Indiana. I withdraw the pro forma amendment.

Mr. FOWLER. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry. I desire to ask the gentleman in charge of the bill whether it is the object of these medical examiners to get information concerning these injuries for the purpose of relieving the injured, or is it for the purpose of aiding the Government?

Mr. JOHNSON of South Carolina. The purpose is to ascertain the facts, so as to determine whether or not the Government is liable under the law.

Mr. FOWLER. Without any reference to relief for the injured?

Mr. JOHNSON of South Carolina. We have provided by law for relief to the injured, and this medical examination is to determine our liability and the extent of it.

Mr. FOWLER. But not for the immediate or temporary relief of the injured.

Mr. JOHNSON of South Carolina. No; because we have no doctor right on the spot.

Mr. FOWLER. I desire to say to the gentleman that I am asking for information. I desire to know if the medical examiner, in going to visit the injured person, does so for the purpose of examining him so as to give him medical relief?

Mr. JOHNSON of South Carolina. Oh, no. There are only two men employed under this appropriation. Where the department, for reasons satisfactory to itself, wants some additional information besides what it has, and believes there ought to be some investigation made, one of these doctors is sent to investigate the particular case, and this \$3,000 is appropriated for that purpose. A very small part of it has been used so far during the present fiscal year, but it may be needed.

Mr. FOWLER. Do these examiners go to every injured person or only in special instances where they are directed by the department to go?

Mr. JOHNSON of South Carolina. I think they go only where they are directed by the department.

Mr. FOWLER. I thank the gentleman for the information.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I fear the gentleman in charge of the bill, the gentleman from South Carolina, has not kept track of the calendar. I would like to suggest to him that this is the seventh day of the week, and that we have been in session quite continuously all of these days, working hard. I think for the first time in my recollection we really began to work on the second day of the session and kept it up until nearly 6 o'clock at night. In other words, this is Saturday evening, and there is no quorum here.

Mr. JOHNSON of South Carolina. Well, Mr. Chairman, I am at the mercy of the gentleman.

Mr. MANN. I do not think we can get through with this bill to-night. I think in justice to the Members of the House that the gentleman in charge of the bill who always wants to get through ought to be willing to waive his personal convenience in the interest of the rest of the Members. Last night we worked until after 5 o'clock, although it was understood that we would quit at 5. We can not finish the bill to-night anyway.

Mr. JOHNSON of South Carolina. Mr. Chairman, of course it is perfectly obvious that no quorum is present, and while I was anxious to complete this bill this afternoon, it seems impossible, under the circumstances, to do it, and I now move that the committee rise.

The motion was agreed to; accordingly the committee rose, and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 26680) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes, and had come to no resolution thereon.

MEMORIAL TO THOMAS JEFFERSON.

The SPEAKER. The Chair has received a letter of great interest to the House, and does not know what to do with it, except to have it read and referred to a committee. Without objection, the Clerk will read the communication.

The Clerk read as follows:

DECEMBER 5, 1912.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: With the approval of Congress conferred by the sundry civil act of March 4, 1909, the Louisiana Purchase Exposition Co. has erected upon the World's Fair site at a cost of \$450,000 a memorial to Thomas Jefferson in commemoration of the acquisition of the Louisiana Territory. The statue of Jefferson will be unveiled and the memorial structure will be dedicated on the one hundred and tenth anniversary of the signing of the Louisiana purchase treaty, the 30th of April, 1913. The trustees respectfully request the presence and participation of a committee of the House of Representatives.

Respectfully,

DAVID R. FRANCIS, *President*.

The letter was referred to the Committee on Industrial Arts and Expositions.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas, chairman of the Committee on Indian Affairs, by direction of that committee, reported the bill (H. R. 26874) making appropriation for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914, which, with accompanying papers, was ordered printed and referred to the Committee of the Whole House on the state of the Union. (H. Rept. 1265.)

Mr. MANN reserved all points of order on the bill.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to give notice that I will call up this bill immediately after the disposition of the legislative, executive, and judicial appropriation bill.

Mr. MANN. Will the gentleman from Texas state whether any arrangement has been made with reference to calling up the contested-election case next Tuesday? The gentleman from Ohio gave notice that he would call up a contested-election case on that day.

Mr. STEPHENS of Texas. I was not aware of that.

The SPEAKER. The Chair will inquire if any arrangement has been made about debate?

Mr. STEPHENS of Texas. None whatever.

ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I now move that the House adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 33 minutes p. m.) the House adjourned until Monday, December 9, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of St. Francis River from its mouth to the mouth of L'Anguille River, and L'Anguille River from its mouth to the city of Marianna, Ark. (H. Doc. No. 1069); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of French Broad River, N. C. (H. Doc. No. 1071); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of the Delaware River at Morrisville, Pa. (H. Doc. No. 1072); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Fort Pond Bay, Suffolk County, N. Y. (H. Doc. No. 1073); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of the Mississippi River between Calhoun Point and Mason Island, Ill. (H. Doc. No. 1074); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Little Manatee River, Fla. (H. Doc. No. 1075); to the Committee on Rivers and Harbors and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Oregon Slough, branch of Columbia River opposite Vancouver, Wash. (H. Doc. No. 1070); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Tangipahoa River, La. (H. Doc. No. 1068); to the Committee on Rivers and Harbors and ordered to be printed.

9. A letter from the Secretary of War, transmitting papers in claim of Edward Judson for damages to launch caused by collision with U. S. towboats *Ellen* and *Henry Boss*, near Natchway Dam on the Mississippi River, July 31, 1912, said claim having been adjudicated by the department as authorized by law (H. Doc. No. 1084); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of War, transmitting claims of Dravo Contracting Co., of Pittsburgh, Pa., for repairs to mixer boat on account of collision with the U. S. S. *T. P. Roberts* on May 15, 1912, at Pittsburgh, Pa., which has been adjusted by the Chief of Engineers; also calling attention to claims of Arnett Dock and Freeman R. Garrett, submitted to Sixty-second Congress, second session (H. Doc. No. 1083); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of ship canal, with depths of 30 and 35 feet, extending from a point in the city of Newark below the junction of the Pennsylvania and Lehigh Valley Railroads through the Newark meadows and Newark Bay to the deep water of the Kill Van Kull, N. J. (H. Doc. No. 1076); to the Committee on Rivers and Harbors and ordered to be printed.

12. A letter from the Secretary of War, transmitting, with letter from the Chief of Engineers, report of examination and survey of Sag Harbor, N. Y., with view to securing increased anchorage area and protecting the channel between said harbor and Gardiners Bay from the erosion of Cedar Point (H. Doc. No. 1077); to the Committee on Rivers and Harbors and ordered to be printed.

13. A letter from the Secretary of War, transmitting, with favorable recommendations, letter from the Acting Chief Quartermaster Corps requesting the estimate for appropriation for Cavalry post in Hawaiian Islands be included in the urgent deficiency appropriation bill (H. Doc. No. 1082); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of War, transmitting twenty-second report of the Board of Ordnance and Fortifications for the fiscal year 1912 (H. Doc. No. 945); to the Committee on Appropriations and ordered to be printed.

15. A letter from the Secretary of War, transmitting letter from the Acting Chief of Engineers calling attention to certain claims in connection with Engineer Department referred to House Document No. 613, Sixty-second Congress, and requesting favorable consideration by the Committee on Claims, etc.

(H. Doc. No. 1079); to the Committee on Claims and ordered to be printed.

16. A letter from the Secretary of the Treasury calling attention to the appropriation in the sundry civil act approved August 24, 1912, for the construction and installation of vaults for the Bureau of Engraving and Printing Building in Washington and recommending that an amendment thereto be included in the urgent deficiency bill (H. Doc. No. 1080); to the Committee on Appropriations and ordered to be printed.

17. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of St. Marys River with a view to the removal of shoals and reefs near Detour, Mich. (H. Doc. No. 1078); to the Committee on Rivers and Harbors and ordered to be printed.

18. A letter from the Attorney General of the United States, transmitting statement of expenditures by United States Commerce Court for the fiscal year 1912, as furnished by the presiding judge of said court (H. Doc. No. 1081); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. UNDERWOOD: A bill (H. R. 26866) for the purchase of a site and the erection of a public building at Marion, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. KINKEAD of New Jersey: A bill (H. R. 26867) to amend an act entitled "An act to create a uniform system of bankruptcy in the United States and Territories," approved July 1, 1898; to the Committee on the Judiciary.

By Mr. LOBECK: A bill (H. R. 26868) fixing the maximum price of electric current to consumers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. JOHNSON of Kentucky: A bill (H. R. 26869) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and, further, to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto; to the Committee on the Library.

By Mr. TAYLOR of Colorado: A bill (H. R. 26870) granting to the city of Black Hawk, Colo., the right to purchase certain lands for the protection of water supply; to the Committee on the Public Lands.

By Mr. HAWLEY: A bill (H. R. 26871) to amend an act granting to the Siletz Power & Manufacturing Co. a right of way for a water ditch or canal through the Siletz Indian Reservation in Oregon; to the Committee on the Public Lands.

By Mr. REILLY: A bill (H. R. 26872) to grant compensation to letter carriers and post-office clerks injured in the performance of their duties; to the Committee on the Post Office and Post Roads.

By Mr. CRAGO: A bill (H. R. 26873) to provide for the purchase of a site and the erection of a public building at Waynesburg, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 26874) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914; to the Committee of the Whole House on the state of the Union.

By Mr. BURLESON: A bill (H. R. 26875) to provide for the erection of a public building at Brenham, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 26876) to provide for the erection of a public building at Taylor, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 26877) to provide for the erection of a public building at Georgetown, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 26878) making an appropriation for the protection and improvement of the Yosemite National Park, Cal., and the construction and repair of bridges, fences, trails, and improvement of roads other than toll roads, and for other purposes; to the Committee on Appropriations.

By Mr. DAVENPORT: A bill (H. R. 26879) to authorize diverting and use of the waters of the Arkansas River, in the State of Oklahoma, and the construction, maintenance, and operation of machinery, works, appliances, and structures in connection therewith, for the purpose of creating and developing

water power; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Resolution (H. Res. 735) authorizing an investigation into the affairs of the Washington Gas Light Co.; to the Committee on Rules.

By Mr. BURNETT: Resolution (H. Res. 736) providing for the consideration of S. 3175; to the Committee on Rules.

By Mr. HAMLIN: Resolution (H. Res. 737) to pay a certain sum of money to Anna Fink, widow of James Fink, late a messenger in the House; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 26880) granting an increase of pension to James H. Kinkead; to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 26881) for the relief of Jacob Burkhardt; to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 26882) authorizing the Secretary of War to confer upon James B. Ross the congressional medal of honor; to the Committee on Military Affairs.

By Mr. BOOHER: A bill (H. R. 26883) granting an increase of pension to William H. Watson; to the Committee on Pensions.

By Mr. BRADLEY: A bill (H. R. 26884) granting an increase of pension to Helen Archibald; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 26885) granting a pension to Mary C. Kines; to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 26886) for payment to the Chicago, Milwaukee & St. Paul Railway Co. the \$4,583.67 improperly collected under the act of August 5, 1909; to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 26887) granting a pension to Susan Stanart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26888) granting an increase of pension to Albert Passwater; to the Committee on Pensions.

By Mr. CLAYPOOL: A bill (H. R. 26889) granting an increase of pension to Herbert W. Brooks; to the Committee on Pensions.

By Mr. CURRIER: A bill (H. R. 26890) granting an increase of pension to Henry G. Bickford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26891) granting an increase of pension to James B. Kellogg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26892) granting an increase of pension to H. W. Stone; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 26893) granting an increase of pension to Mary Murphy; to the Committee on Invalid Pensions.

By Mr. GILL: A bill (H. R. 26894) for the relief of John N. Neal; to the Committee on Military Affairs.

Also, a bill (H. R. 26895) for the relief of Charles A. Coulson; to the Committee on Military Affairs.

Also, a bill (H. R. 26896) for the relief of Edward Dods-worth; to the Committee on Military Affairs.

Also, a bill (H. R. 26897) for the relief of Reuben W. Pavey; to the Committee on War Claims.

Also, a bill (H. R. 26898) granting a pension to Mary Julka; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26899) granting a pension to Charles Kline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26900) granting a pension to Lucy A. Wharton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26901) granting a pension to Margaret Tayes, née Ellis; to the Committee on Pensions.

Also, a bill (H. R. 26902) granting a pension to Christina B. Offer; to the Committee on Pensions.

Also, a bill (H. R. 26903) granting a pension to Mary McKelvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26904) granting a pension to Paul Heine-man; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26905) granting a pension to Herman J. Wacker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26906) granting an increase of pension to Albert White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26907) granting an increase of pension to John J. Driscoll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26908) granting an increase of pension to John J. Driscoll; to the Committee on Pensions.

Also, a bill (H. R. 26909) granting an increase of pension to William Barfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26910) granting an increase of pension to Benjamin F. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26911) to correct the military record of John J. Barlow; to the Committee on Military Affairs.

Also, a bill (H. R. 26912) to correct the military record of Horace McMellon; to the Committee on Military Affairs.

Also, a bill (H. R. 26913) to remove the charge of desertion standing against Servello J. Dematos; to the Committee on Military Affairs.

By Mr. HAMILTON of West Virginia: A bill (H. R. 26914) granting an increase of pension to Samuel L. Somerville; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 26915) to reimburse the postmaster at Seaside, Oreg., for the loss by fire of postal savings cards and stamps; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 26916) granting a pension to William Curtsinger; to the Committee on Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 26917) granting an increase of pension to George Van Orden; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 26918) granting a pension to James H. Kampo; to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 26919) granting a pension to Mary B. F. Trainor; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 26920) granting a pension to Sarah A. Bland; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 26921) for the relief of the heirs of Samuel Corruthers, deceased; to the Committee on War Claims.

By Mr. O'SHAUNESSY: A bill (H. R. 26922) granting an increase of pension to Alphonzo O. Drake; to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 26923) granting an increase of pension to B. E. Benton; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 26924) granting an increase of pension to Mary Kessinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26925) granting an increase of pension to Duncan Campbell; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 26926) granting an increase of pension to Joanna Swander; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 26927) granting a pension to Sarah Whidden; to the Committee on Pensions.

By Mr. STEENERSON: A bill (H. R. 26928) granting an increase of pension to Jeremiah Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26929) granting an increase of pension to Christian C. Ellingson; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 26930) granting a pension to Missouri Parker; to the Committee on Pensions.

Also, a bill (H. R. 26931) granting an increase of pension to Alonzo F. Murden; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 26932) granting an increase of pension to Gen. James K. Proudft; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 26933) granting a pension to Henry C. Doll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26934) granting an increase of pension to Alvacinda Tyler; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 26935) granting an increase of pension to Robert Shay; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Thomas Nelson Woolfolk, jr., Norfolk, Va., relative to impeachment for treason; to the Committee on the Judiciary.

By Mr. ALLEN: Petition of Bethlehem Council, No. 45, Daughters of America, Cincinnati, Ohio, favoring the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Cincinnati (Ohio) Lodge, No. 5, Benevolent and Patriotic Order of Elks, favoring the enactment of legislation purchasing Mount Vernon, the former home of President Washington; to the Committee on Public Buildings and Grounds.

By Mr. ASHBROOK: Petition of the National Wholesale Liquor Dealers' Association of America, Cincinnati, Ohio, protesting against the passage of House bill 4040, the Kenyon interstate-commerce liquor bill; to the Committee on the Judiciary.

By Mr. BUCHANAN: Petition of Chicago Division, No. 1, Order of Railway Conductors, protesting against the passage of the workmen's compensation and liability act (S. 5382); to the Committee on the Judiciary.

By Mr. CLINE: Petition of the Lake Michigan Sanitary Association favoring appropriation for investigation of the pollution of the waters of the Great Lakes; to the Committee on Appropriations.

By Mr. DYER: Petition of Lynch & Co., St. Louis; German-American citizens of California, Mo.; and the National Wholesale Liquor Dealers' Association of America, protesting against the passage of the Kenyon liquor bill (S. 4043); to the Committee on the Judiciary.

Also, petition of the State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., favoring the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Lake Michigan Sanitary Association favoring appropriation for investigation of the pollution of the waters of the Great Lakes; to the Committee on Appropriations.

Also, petition of the Building Trades Council of St. Louis, Mo., and the Missouri State Dairy Association, protesting against the passage of House bill 20281, removing the tax on oleomargarine; to the Committee on Agriculture.

Also, petition of the Supreme Council of the Order of United Commercial Travelers of America, favoring reduction of letter postage to 1 cent; to the Committee on the Post Office and Post Roads.

Also, petition of the Supreme Council of the Order of United Commercial Travelers of America, favoring passage of a bill changing the national election day to Monday; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. FULLER: Petition of the New York Board of Trade and Transportation, favoring the passage of the Sulzer bill creating a final court of patent appeals; to the Committee on the Judiciary.

By Mr. HOWELL: Petition of citizens of Ephraim, Manti, and Mount Peasant, all in the State of Utah, favoring regulation of the express companies by the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. KINDRED: Petition of the Lake Michigan Sanitary Association, favoring appropriation for investigating the extent of the pollution of the waters of the Great Lakes; to the Committee on Appropriations.

Also, petition of the American Embassy Association, favoring the passage of House bill 22589, appropriating \$500,000 for embassy, legation, and consular buildings; to the Committee on Appropriations.

Also, petition of the Chamber of Commerce of the State of New York, protesting against placing the Board of General Appraisers under control of the Treasury Department; to the Committee on Expenditures in the Treasury Department.

By Mr. LINDSAY: Petition of the State Council of Pennsylvania, Order of Independent Americans, favoring the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. MCCOY: Petition of R. Sanford Ross (Inc.), Jersey City, N. J., favoring legislation for the establishment of a United States court of appeals; to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Papers to accompany bill for relief of Sarah A. Bland; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Petition of Pennsylvania State Camp, Patriotic Order Sons of America, favoring the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. MOTT: Petition of the National Society for Promotion of Industrial Education, favoring the passage of the Page-Wilson bill for vocational education; to the Committee on Agriculture.

Also, petition of the State Council of Pennsylvania, Order of Independent Americans, and the Farmers' Educational and Cooperative Union of America, favoring the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Lake Michigan Sanitary Association, favoring investigation of the pollution of the waters of the Great Lakes; to the Committee on Appropriations.

By Mr. PICKETT: Papers to accompany the bill granting pension to Lizzie S. Williams; to the Committee on Invalid Pensions.

Also, papers to accompany bill granting pension to August A. Buntgen; to the Committee on Invalid Pensions.

By Mr. REYBURN: Petition of the State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., and Pennsylvania State Camp, Patriotic Order Sons of America, Philadelphia, Pa., favoring the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. TILSON: Petition of the Board of Harbor Commissioners of New Haven Harbor, relative to improving the New Haven Harbor; to the Committee on Appropriations.

By Mr. WEEKS: Petition of citizens of Franklin and South Framingham, Mass., favoring the enactment of legislation to give the Interstate Commerce Commission further power toward regulating the express rates; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Framingham, Mass., favoring enactment of legislation giving the Interstate Commerce Commission further control toward regulating the express rates; to the Committee on Interstate and Foreign Commerce.

SENATE.

Monday, December 9, 1912.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

WILLIAM E. CHILTON, a Senator from the State of West Virginia, and JAMES A. REED, a Senator from the State of Missouri, appeared in their seats to-day.

The Secretary proceeded to read the Journal of the proceedings of Saturday last when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MARKING OF CONFEDERATE GRAVES (H. DOC. NO. 1105).

The PRESIDENT pro tempore (Mr. BACON) laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the final report of the commissioner appointed to continue the work of locating and marking the graves of the Confederate dead, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

MEMORIAL TO THOMAS JEFFERSON.

The PRESIDENT pro tempore laid before the Senate a communication from the president of the Louisiana Purchase Exposition Co., which was read and referred to the Committee on Industrial Expositions, as follows:

OFFICE OF THE PRESIDENT,
December 5, 1912.

THE PRESIDENT PRO TEMPORE UNITED STATES SENATE.

SIR: With the approval of Congress, conferred by the sundry civil act of March 4, 1909, the Louisiana Purchase Exposition Co. has erected upon the world's fair site at a cost of \$450,000 a memorial to Thomas Jefferson, in commemoration of the acquisition of the Louisiana Territory. The statue of Jefferson will be unveiled and the memorial will be dedicated on the one hundred and tenth anniversary of the signing of the Louisiana purchase treaty, the 30th of April, 1913. The trustees respectfully request the presence and participation of a committee of the United States Senate.

Respectfully,
[SEAL.]

DAVID R. FRANCIS,
President Louisiana Purchase Exposition Co.

PAPAGO INDIAN RESERVATION, ARIZ. (S. DOC. NO. 973).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of an investigation with a view to determining the possibility of enlarging the irrigation system on the Papago Indian Reservation, Ariz., together with surveys, plans, and estimated limit of cost of such project, which, with the accompanying papers and illustrations, was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 20287) to amend section 5 of the act entitled "An act to incorporate the American Red Cross," approved January 5, 1905; and it was thereupon signed by the President pro tempore.

PETITIONS.

Mr. GRONNA. I present a petition of the Young People's Branch of the Woman's Christian Temperance Union of the University of North Dakota. I ask that the petition may lie on the table and be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

UNIVERSITY, N. DAK., November 23, 1912.

Hon. A. J. GRONNA,

United States Senator:

Believing that it is our inherent constitutional right under the police power to regulate the liquor traffic in this State, and that the future destiny of our Commonwealth depends upon the correct solution of this great problem, we, the members of the Young People's Branch of the Woman's Christian Temperance Union of the University of North Dakota, respectfully petition you to put forth your best efforts for the passage of the Kenyon bill.

THEODORE ROY, President.
ETHEL E. HALCROW, Secretary.

Mr. GRONNA presented petitions of sundry citizens of Walsh County, Hatton, and Reach, all in the State of North Dakota, praying for the enactment of the Kenyon interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MASSEY:

A bill (S. 7656) to grant to the State of Nevada lands for educational purposes; to the Committee on Public Lands.

By Mr. MARTIN of Virginia:

A bill (S. 7657) for the erection of a statue to John Marshall (with accompanying paper); to the Committee on the Library.

By Mr. CHILTON (for Mr. WATSON):

A bill (S. 7658) granting an increase of pension to John F. Bennett; to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 7659) to establish a bureau for the study of the criminal, pauper, and defective classes; to the Committee on Education and Labor.

By Mr. McCUMBER:

A bill (S. 7660) granting a pension to August T. Lillich;

A bill (S. 7661) granting an increase of pension to Sidney P. Jones;

A bill (S. 7662) granting an increase of pension to William B. Seace (with accompanying papers);

A bill (S. 7663) granting an increase of pension to Charles E. Miller (with accompanying papers); and

A bill (S. 7664) granting an increase of pension to Ann T. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 7665) for the relief of Charles Hellyer; to the Committee on Claims.

By Mr. PENROSE:

A bill (S. 7666) to provide for the purchase of a site and the erection of a public building thereon in the city of Warren, State of Pennsylvania; to the Committee on Public Buildings and Grounds.

A bill (S. 7667) granting an increase of pension to Catherine M. Peck; and

A bill (S. 7668) for the better payment of pensioners; to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 7669) for the relief of John T. Brickwood, Edward Gaynor, Theodore Gebler, Lee W. Mix, Arthur L. Peck, Thomas D. Casanega, Joseph de Lusignan, and Joseph H. Berger; to the Committee on Claims.

By Mr. GUGGENHEIM:

A bill (S. 7670) granting an increase of pension to Mary A. Buchanan (with accompanying papers);

A bill (S. 7671) granting a pension to Martha Sample (with accompanying papers);

A bill (S. 7672) granting an increase of pension to Florence M. Saunders (with accompanying papers); and

A bill (S. 7673) granting an increase of pension to Elmer H. Pond (with accompanying papers); to the Committee on Pensions.

A bill (S. 7674) for the relief of William J. Brooker, alias William Hicks (with accompanying paper); to the Committee on Military Affairs.

OMNIBUS CLAIMS BILL.

Mr. WARREN submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to lie on the table and be printed.

INAUGURATION OF THE PRESIDENT ELECT.

Mr. OVERMAN submitted the following concurrent resolution (S. Con. Res. 31), which was read, considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That a joint committee, consisting of three Senators and three Repre-